

Who's Liable When a Child Is Hit by a Car in a Texas School Zone?

Our Houston Child Injury Lawyers Protect Families After Devastating Accidents

Few accidents are more heartbreaking than a child being [hit by a car](#). In Texas school zones, where drivers are legally required to slow down and stay alert, these crashes should be rare. Unfortunately, every year, children suffer serious and even fatal injuries because of negligent driving.

When a child is struck, families are often left facing hospital bills, rehabilitation costs, and emotional trauma that can last a lifetime. The legal process is complicated, especially when insurance companies try to shift blame. That's why working with an experienced Houston child injury lawyer is critical. At [Smith & Hassler](#), we fight for families when the unthinkable happens, holding negligent drivers accountable and pursuing the compensation children need for long-term recovery.

What Dangers Do Children Face in Texas School Zones?

Texas law recognizes that children are especially vulnerable near schools, which is why school zones come with strict speed limits, marked crosswalks, and flashing warning signals. Despite these safeguards, school zone crashes remain common, often caused by:

- [Speeding](#) through marked zones
- Failing to yield to crossing guards or pedestrians
- [Distracted driving](#), including texting behind the wheel
- Ignoring stop signs and traffic lights near schools
- Unsafe drop-off and pick-up maneuvers by other parents

Children are smaller, harder to see, and less predictable than adults when crossing streets. Even a low-speed collision can lead to catastrophic injuries, including [traumatic brain injuries](#), spinal damage, and permanent disabilities.

Who Can Be Liable When a Child Is Hit in a School Zone?

Liability in these cases isn't always straightforward. Depending on the circumstances, multiple parties could be responsible:

Negligent Drivers

Drivers are required by law to slow down and yield to pedestrians in crosswalks, especially in school zones. Failing to follow traffic laws, exceeding speed limits, or driving distracted can make a driver fully or partially liable for a crash.

School Districts and Municipalities

If the crash resulted from poorly maintained crosswalks, malfunctioning traffic signals, or inadequate signage, the school district or local government could also share liability.

Third-Party Drivers

Sometimes, crashes happen because another driver — not the one who hit the child — made an unsafe move, forcing surrounding vehicles into dangerous situations. These drivers may also be held accountable.

Vehicle or Equipment Manufacturers

If brake failure, defective pedestrian detection systems, or other mechanical defects contributed to the accident, product manufacturers could be liable under Texas product liability laws.

Identifying all potential sources of liability is crucial for securing full compensation. At Smith & Hassler, we investigate every detail to uncover what went wrong and who should be held responsible.

Texas Laws That Protect Children in School Zones

Several Texas laws provide enhanced protections for pedestrians — especially children — near schools:

- **Reduced Speed Limits:** Drivers must slow down to 20 mph or lower where posted.
- **Yielding to Pedestrians:** [Texas Transportation Code §552.003](#) requires drivers to yield to pedestrians crossing within marked crosswalks.
- **Cell Phone Bans:** Texas prohibits handheld cell phone use while driving through active school zones.
- **Enhanced Penalties:** Violating these laws can result in steep fines and penalties, which can help strengthen civil claims against negligent drivers.

When a driver ignores these safety rules, it strengthens the case for negligence and makes it easier to hold them accountable.

Proving Negligence After a Child Is Struck

In school zone injury cases, proving negligence requires strong evidence to support the claim. Our team works quickly to secure critical information, including:

- **Police and Accident Reports:** These often include statements from witnesses, crossing guards, and drivers.
- **Surveillance Footage:** Nearby schools, homes, and businesses may have video evidence of the crash.
- **Cell Phone Records:** To determine if the driver was texting or distracted at the time.

- **Vehicle Data:** Many cars now have event data recorders, also known as “black boxes,” that show speed and braking activity.
- **Witness Testimonies:** Other parents, school staff, and children may provide key insights.

The sooner an attorney gets involved, the easier it is to preserve this evidence and build a compelling case.

Common Injuries in Texas School Zone Crashes

Children struck by vehicles are especially vulnerable to severe, life-changing injuries, including:

- **Traumatic Brain Injuries:** Even low-speed impacts can cause concussions or long-term cognitive impairments.
- **Spinal Cord Damage:** Leading to partial or complete paralysis.
- **Fractures and Crush Injuries:** Often requiring surgeries and extensive rehabilitation.
- **Internal Bleeding and Organ Damage:** Which may not be immediately obvious after a crash.
- **Psychological Trauma:** Emotional scars can last long after physical wounds heal.

Because children are still developing, their injuries often require lifelong medical care. Unfortunately, that’s something insurance companies routinely undervalue.

Challenges Families Face With Insurance Companies

After a devastating crash involving a child, many families are shocked and appalled to discover how aggressively insurers fight to limit payouts. Common tactics include:

- Claiming the driver wasn’t fully at fault
- Downplaying the severity of the child’s injuries
- Pressuring families into accepting lowball settlements
- Exploiting confusion about Texas comparative fault laws

Our attorneys push back against these strategies, working with pediatric specialists, economists, and life-care planners to calculate the true cost of a child’s injuries, both now and in the future. In short, we won’t let an insurance company try to profit off your child’s pain.

What to Do If Your Child Is Hit by a Car in a School Zone

If your child is injured, the steps you take next can protect both their health and your legal rights:

1. **Get Immediate Medical Care** — Even if injuries appear minor at first, you can never be too careful after an accident (especially one involving a child).
2. **Report the Accident** — Notify police and school authorities right away so they can document the incident.

3. **Document Everything** — Take photos of the scene, crosswalks, and warning signs. Videos showing the location of the accident can also be helpful.
4. **Avoid Speaking to Insurance Adjusters** — Don't give statements without legal representation. Just because your case involves a child doesn't mean the insurance company is going to do the right thing.
5. **Contact Smith & Hassler** — Our team can launch an independent investigation and handle the legal process while you focus on your child's recovery.

How Smith & Hassler Helps Families Move Forward

At Smith & Hassler, we've spent decades representing injured children and their families in Houston and across Texas. We know how to investigate complex school zone crashes, identify all liable parties, and fight for the full compensation your family deserves.

When a child's future is at stake, you need an experienced legal team that understands the high costs of care, rehabilitation, and emotional recovery. Our attorneys work tirelessly to make sure negligent drivers and insurance companies are held accountable so your family isn't left with the financial burden due to someone else's reckless behavior.

Contact a Houston Child Injury Lawyer Today

If your child was hit by a car in a Texas school zone, you don't have to face the aftermath alone. We can help you pursue justice, secure financial resources for ongoing care, and hold all responsible parties accountable.

[Contact Smith & Hassler today](#) for a free, confidential consultation. We're here to protect your child's future.