

Who Is at Fault When a Driver Opens Their Door Into Traffic in Texas?

Our Houston car accident lawyers explain liability in dooring accidents

Drivers or passengers need to be careful when opening a car door on a crowded street in Houston or another busy Texas city. One moment, you're driving through traffic on University Boulevard or riding along Gray Street with the flow of traffic. The next, a driver or passenger swings a door open directly into your path, and there's no time to avoid a collision. These types of [car accidents](#) may look minor at first, but the injuries and legal issues can quickly become very complicated.

That's especially true in a city like Houston, where heavy traffic, narrow streets, rideshare activity, delivery vehicles, and crowded parking areas create constant opportunities for dooring accidents. A driver might open a door along Westheimer, near a restaurant in Midtown, or outside an apartment building downtown without ever checking to see whether a cyclist, motorcyclist, or passing vehicle is coming. When that happens, the person in traffic often takes the full force of the collision.

At [Smith & Hassler](#), we know that dooring accidents can lead to serious injuries and real disputes about fault. A Houston car accident lawyer from our law firm can investigate what happened, identify who is legally responsible, and fight for compensation for all your accident-related expenses. That matters because insurance companies often try to make dooring accidents sound less serious or more complicated than they really are.

What does Texas law say about opening a car door into traffic?

Texas law directly addresses this issue. Under [Texas Transportation Code, Chapter 545, Title 7, Subtitle C, Chapter 545, Subchapter A, Section 545.418](#), a driver or passenger is not allowed to open a vehicle door on the side available to moving traffic "unless the door may be opened in reasonable safety without interfering with the movement of other traffic."

That rule may sound straightforward, but it carries serious legal consequences. If someone opens a door into traffic when it isn't safe, that action can be considered negligence, which means they failed to act with reasonable care and caused harm as a result. In many cases, that unsafe decision is the central reason the crash happened.

In practical terms, this often means the person who opened the door is responsible for the collision. But like many Texas car accident cases, the facts still matter. Insurance companies may try to argue that the injured person shares some of the blame, especially if the crash involved a cyclist, a motorcycle rider, or a driver in a lane next to parked cars. That's why proving exactly how the crash happened can make a major difference in your case.

Who is usually at fault in a Texas dooring accident?

In most dooring accidents, the person who opened the door is at fault because that person created a sudden danger in moving traffic. The law does not put the burden on passing drivers or cyclists to expect a car door to fly open without warning. Instead, it places responsibility on the person opening the door to make sure it is safe first.

That means fault often falls on the driver or passenger who opened the door, especially when there is clear evidence that traffic was approaching and the door was opened anyway. In some cases, the driver of the parked vehicle may also be at fault even if a passenger opened the door, depending on the facts and whether the driver contributed to the unsafe situation.

Common examples of unsafe conduct in dooring cases include:

- Opening a door without checking mirrors first
- Opening a door directly into an active traffic lane
- Letting a door remain open in the path of oncoming traffic
- Failing to warn a passenger before the passenger exits into traffic
- Opening a door from a rideshare or delivery vehicle in a congested area

These details matter because they help establish cause and effect. A person opened a door without making sure it was safe, and that action directly caused the crash. That is often the core issue in a dooring case.

Can more than one person be at fault in a dooring accident?

Texas follows a modified comparative fault rule. Under [Texas Transportation Code § 545.418](#), more than one person can share responsibility for a crash. That means your compensation can be reduced based on your percentage of fault. If you are found to be more than 50 percent responsible, you generally cannot recover compensation under Texas law.

Insurance companies often rely on that rule to argue that the injured person somehow contributed to the crash. In a dooring case, they may claim that you were traveling too fast, not paying attention, riding too close to parked vehicles, or could have avoided the open door if you had reacted differently. These arguments are especially common when the injured person was on a bicycle or motorcycle.

That does not mean the insurance company is right. In many cases, those arguments are designed to reduce what they have to pay. A strong legal case looks closely at the timing of the door opening, the speed and position of traffic, the amount of reaction time available, and whether a reasonable person in your position could have avoided the crash. That is where evidence becomes critical.

Why are dooring accidents so dangerous?

Dooring accidents are dangerous because they happen with little warning and often involve vulnerable road users. Cyclists, motorcyclists, and even drivers in adjacent lanes can be caught off guard. Data collected and published by the [National Highway Traffic Safety Administration](#) helps show how quickly traffic crashes can lead to severe harm, especially when someone is thrown into traffic or forced into a second collision.

The danger is not limited to the first impact. A cyclist who hits an open door may be thrown into another lane and struck by a moving vehicle. A motorcyclist may lose control and slide across the roadway. A driver may swerve to avoid a door and then crash into another vehicle, a curb, or a fixed object. In that way, one careless act can trigger a much larger chain reaction.

Injuries in these cases can be severe and expensive to treat. They may include broken bones, head injuries, neck injuries, back injuries, road rash, deep cuts, and long-term joint damage. That is one reason these cases should never be brushed aside as minor traffic incidents. What looks like a simple door opening can leave someone dealing with months of treatment, missed work, and lasting physical pain.

What evidence can prove fault in a dooring accident?

Like other Texas car accident claims, dooring cases are often won or lost based on the evidence. The stronger the evidence, the harder it becomes for the other side to deny what happened or shift blame onto you. That is why early investigation matters so much in these cases.

Important evidence in a dooring accident case can include:

- Photos of the scene, including the parked vehicle, the door position, and the traffic lane
- Statements from witnesses who saw the door open or saw the crash happen
- Police reports describing the scene and what the parties said afterward
- Surveillance video from nearby businesses, homes, or parking facilities
- Dashcam footage from your vehicle or another nearby vehicle
- Damage patterns on the door, your vehicle, or your bicycle or motorcycle

For example, if a nearby store camera captures the moment a door swung open into traffic, that footage can make a huge difference. It can show whether the door was opened suddenly, whether you had time to react, and whether the parked vehicle was positioned in a way that increased the risk of a collision. In many cases, that kind of video evidence can quickly cut through the insurance company's attempts to create doubt.

What if a passenger opened the door instead of the driver?

That's a common question, especially in Houston, where rideshare vehicles, food delivery vehicles, and personal vehicles often drop people off in active traffic areas. If a passenger

opened the door into traffic, the passenger may be directly at fault. But that does not always mean the driver is off the hook.

In some situations, the driver of the parked vehicle may also share responsibility. For example, if the driver stopped in an unsafe place, failed to pull over properly, or told the passenger to get out in a live lane of traffic, the driver's conduct may have contributed to the crash. In other cases, the company connected to the trip may also become part of the legal picture, especially if the vehicle was being used for work.

That is one reason dooring accidents can become more complicated than they first appear. More than one person may be legally responsible, and more than one insurance policy may apply. A Houston car accident attorney can investigate those issues and determine whether a claim should be made against the passenger, the driver, an employer, or another responsible party.

What should you do after a dooring accident in Houston?

The steps you take after the crash can directly affect your claim. If you are physically able, try to gather as much information as possible while the scene is still fresh. That can make it easier to prove fault later, especially if the other side changes its story.

Helpful steps often include:

- Calling the police and asking them to respond to the crash scene
- Taking photos of the open door, the parked vehicle, your injuries, and the surrounding area
- Getting the name and contact information of the driver and any passengers
- Talking to witnesses and getting their names and phone numbers
- Looking around for nearby cameras that may have recorded the crash
- Getting prompt medical care, even if your injuries seem minor at first

Medical treatment is especially important because some injuries do not fully show up right away. A concussion, soft tissue injury, or internal injury may not feel severe in the first hour after the crash, but that does not mean the injury is minor. Getting checked out creates a medical record that connects your injuries to the crash, and that record can be important later when the insurance company tries to question what happened.

How do insurance companies defend dooring accident claims?

Insurance companies rarely come right out and admit fault when money is on the line. Instead, they often look for ways to make the case seem less clear. In a dooring accident, that usually means trying to create arguments about timing, visibility, or reaction time.

They may say you should have seen the door opening sooner. They may argue that you were too close to parked cars or traveling too fast. They may claim that your injuries were not caused by the crash or that they are not as serious as you say. In some cases, they may even argue that the open door was visible long enough for you to avoid it, even when the facts show otherwise.

That is why these cases often require more than filing a basic claim. They require evidence, careful investigation, and a legal strategy that connects the unsafe door opening to the crash and the injuries that followed. If the insurance company sees that your case is well-supported and ready to be pushed forward, it becomes much harder for them to dismiss or undervalue your claim.

How can a Houston car accident lawyer help after a dooring accident?

A Houston car accident lawyer can help by taking control of the investigation before the insurance company tries to shape the story in its favor. At Smith & Hassler, we can preserve evidence, track down witnesses, review reports, and determine exactly who is legally responsible for causing your crash.

We can also calculate the full value of your losses. That may include money for medical bills, lost income, future medical care, pain and suffering, property damage, and other accident-related costs. In serious cases, that financial impact can be much greater than people realize at first, especially if the injuries affect your ability to work or carry out your normal daily routine.

If you were hurt because someone opened a vehicle door into traffic in Texas, don't assume the insurance company will treat you fairly. These cases can become complicated fast, especially when fault is disputed or multiple parties are involved. [Contact](#) our law firm and schedule an appointment to talk with a Houston car accident lawyer about your legal options. We can review what happened, explain your rights, and get right to work building the strongest possible case for compensation. We deliver justice for injured Texans.