

When a Driver Fails to Yield and the Crash Is Entirely Avoidable

How Right-of-Way Violations, Crash Evidence, and Texas Fault Rules Can Shape a Houston Injury Claim

Failure-to-yield crashes often happen in a moment when one driver moves into a space another vehicle is already entitled to use. A driver may roll through a stop sign, turn left across oncoming traffic, enter a roadway from a driveway, or move through an intersection without giving another vehicle the right of way required by Texas law.

The violation can be powerful evidence of fault, but the legal analysis isn't always as simple as pointing to a traffic statute. The exact right-of-way rule, the traffic signal, each vehicle's position and speed, and whether another driver's conduct contributed to the collision all matter.

At Smith & Hassler, our [Houston car accident lawyers](#) investigate failure-to-yield crashes involving intersections, left turns, stop and yield signs, driveways, feeder roads, and other right-of-way disputes. The goal is to preserve the evidence that shows who had the right to proceed and what each driver did in the seconds before impact.

Texas Right-of-Way Rules Depend on the Type of Traffic Movement

Texas Transportation Code Chapter 545 contains several right-of-way provisions, and the correct statute depends on where the vehicles were and what each driver was trying to do. Treating every failure-to-yield crash as if the same rule applies can lead to the wrong liability analysis.

Traffic Situation	Texas Rule	What the Rule Generally Requires
Approaching or entering an intersection	Section 545.151	Stop or yield when required by a traffic-control device and proceed only when the intersection can be entered safely.
Turning left across oncoming traffic	Section 545.152	Yield to oncoming traffic already in the intersection or close enough to create an immediate hazard.
Stop or yield sign intersection	Section 545.153	After stopping or slowing as required, yield to vehicles in or approaching the intersection closely enough to be an immediate hazard.
Entering or leaving a controlled-access highway	Section 545.154	Follow the specific right-of-way rule between the highway and the access or feeder road.
Entering a highway from a private road or driveway	Section 545.155	Yield to vehicles approaching on the highway being entered.

For example, [Section 545.151](#) addresses vehicles approaching or entering intersections, while [Section 545.153](#) applies specifically to stop and yield intersections. A driver entering a highway from a private road or driveway is governed by [Section 545.155](#).

A left-turn case has its own rule. Under [Section 545.152](#), a driver turning left must yield to an oncoming vehicle that is already in the intersection or close enough to be an immediate hazard. Signal indications still matter. A driver turning under a protected green arrow isn't analyzed the same way as someone making an unprotected left turn on a circular green signal.

A Failure to Yield Doesn't Automatically Decide the Entire Case

A traffic-law violation can be important evidence of negligence, and some statutory violations may support a negligence per se theory under Texas law. But it isn't accurate to say that every violation of Chapter 545 automatically establishes civil liability.

[Negligence per se](#) is a doctrine that can allow a court to use a statute as the standard of conduct when the law is appropriate for that purpose. The plaintiff still needs to prove the statutory requirements, an unexcused violation when the doctrine applies, causation, and damages. Texas courts don't mechanically convert every statutory violation into negligence per se.

That distinction matters in a right-of-way case because the parties may disagree about whether a violation occurred in the first place. The turning driver may say the oncoming vehicle was speeding. A driver at a stop sign may say the intersection appeared clear. Two drivers may each claim the traffic light favored them. Those disputes have to be resolved with evidence, not assumptions.

Left-Turn Crashes Often Turn on Timing, Distance, and Signal Phase

A left-turning driver isn't automatically responsible for every collision with an oncoming vehicle. The key statutory question is whether the oncoming vehicle was in the intersection or close enough to present an immediate hazard when the turn was made.

That can require a close look at distance, speed, sight lines, signal timing, and the point where the turn began. [A left-turn accident at a busy intersection](#) may involve fault by the turning driver, the oncoming driver, or both when speeding, distraction, an improper signal movement, or another contributing act changes the sequence.

A protected arrow can change the analysis too. If the turning driver had a protected signal and the other driver entered against a red light, the case looks very different from an unprotected turn across approaching traffic.

When Both Drivers Claim They Had the Right of Way

Some of the hardest failure-to-yield cases are the ones where both drivers tell a plausible story. At a signalized intersection, each may insist the light was green. At a four-way stop, both may say they stopped first. Without independent evidence, the dispute can become a contest between competing recollections.

When [both drivers say the light was green](#), signal timing records, nearby video, vehicle positions, event-data information, witness accounts, and physical evidence can help reconstruct what happened. A police report can preserve useful observations and statements, but it doesn't automatically determine civil fault.

The same principle applies after an [intersection accident](#). Who had the right of way may depend on more than where the vehicles ended up after the collision. Investigators may need to determine the signal phase, whether either driver accelerated or braked, when each vehicle entered the intersection, and whether sight lines were obstructed.

Video Evidence Can Resolve a Right-of-Way Dispute

A few seconds of video can answer questions that hours of conflicting statements can't. Dashcams, business surveillance systems, residential cameras, police vehicle cameras, and some traffic-monitoring systems may capture the approach to an intersection or the collision itself.

[Dashcam and surveillance video](#) can show signal color, vehicle position, lane movement, braking, speed changes, and the sequence of impact. It can also show whether a driver stopped before proceeding or entered the intersection without enough clearance.

Timing is important because many private camera systems overwrite recordings quickly. Identifying nearby cameras and asking that relevant footage be preserved can make the difference between having an objective record of the crash and being left with two conflicting accounts.

Witnesses Can Fill Gaps the Physical Evidence Can't

An independent witness may have seen the light change, watched a vehicle roll through a stop sign, or noticed one driver accelerate into the intersection. That perspective can be especially valuable when there isn't clear video.

[Witness statements](#) should be evaluated alongside photographs, vehicle damage, roadway marks, event data, and other evidence. A witness's location, line of sight, attention, and memory all matter, so a statement is strongest when it fits the rest of the physical record.

T-Bone Crashes Can Produce Serious Side-Impact Injuries

Failure-to-yield violations frequently produce side-impact collisions because one vehicle enters the path of another at an intersection or driveway. In a [T-bone accident](#), the struck occupant may have less crush space between the incoming vehicle and the body than in a frontal impact.

The injury pattern depends on speed, angle, restraint use, vehicle design, intrusion, and where the occupant is seated. Serious injuries can include:

- **Thoracic and Lumbar Spine Injuries:** A side impact can place sudden bending, compression, and rotational forces on the spine. Depending on the crash, injuries may include fractures, disc injuries, and nerve involvement.
- **Head and Brain Injuries:** An occupant's head may strike the window, pillar, door structure, or another interior surface. A [concussion or traumatic brain injury](#) can affect memory, concentration, balance, mood, and other neurologic functions.
- **Rib and Internal Injuries:** Side intrusion and blunt-force trauma can cause rib fractures, lung injuries, or damage to abdominal organs. Internal bleeding can be life-threatening and may require observation, interventional treatment, or surgery depending on the injury.
- **Shoulder, Arm, and Wrist Injuries:** An occupant may be thrown toward the door, brace for impact, or strike the interior of the vehicle, producing fractures, dislocations, tendon injuries, or other upper-extremity damage.
- **Neck and Soft-Tissue Injuries:** Sudden lateral or diagonal movement can strain muscles and ligaments in the neck and upper back. [Whiplash symptoms](#) may appear immediately or become more noticeable over the first day or two after a crash.
- **Spinal Cord Injuries:** In the most severe side-impact crashes, vertebral fractures or other trauma can damage the [spinal cord](#) and cause lasting weakness, sensory loss, or paralysis.

Comparative Fault Can Reduce or Eliminate Recovery

Even when another driver failed to yield, Texas law still allows responsibility to be divided among people whose conduct contributed to the crash. Under [Texas Civil Practice and Remedies Code Section 33.001](#), a claimant can't recover damages if the claimant's percentage of responsibility is greater than 50%.

If the injured driver is 50% or less responsible, recoverable damages are generally reduced by that percentage. For example, a \$200,000 damages award reduced by 20% comparative responsibility would leave \$160,000 before considering insurance limits, liens, or other case-specific issues.

[Modified comparative fault](#) makes allegations about speeding, distraction, braking, and reaction time financially important, but an allegation isn't the same as proof. Video, vehicle data, witness testimony, signal records, and reconstruction evidence can test whether the proposed fault percentage matches the actual sequence of the crash.

The Right Evidence Should Connect Fault to the Full Loss

Proving who failed to yield is only one part of an injury claim. The medical and financial record still has to show what the collision caused and how those injuries affected the person's life.

That can include emergency records, diagnostic imaging, specialist treatment, therapy, wage information, photographs, and testimony about physical limitations. [Texas car accident compensation](#) can include proven future treatment, reduced earning capacity, pain, impairment, and other losses when the injuries have lasting consequences.

Our Houston Car Accident Lawyers Can Reconstruct What Happened Before the Insurance Company Defines the Story

A failure-to-yield claim can look obvious at the scene and become disputed as soon as the insurance investigation begins. The strongest response is a record built from the traffic rule that applied, the physical evidence, independent witnesses, video, and the medical proof showing what the crash caused.

At [Smith & Hassler](#), we investigate the intersection or roadway, identify evidence that may disappear, and challenge fault arguments that don't fit the facts. A failure-to-yield crash can leave you dealing with medical bills before an insurer even accepts responsibility. We don't require an upfront attorney's fee to take a personal injury case. Our fee is tied directly to the recovery, so if we don't obtain compensation for you, you don't owe an attorney's fee.

If another driver failed to yield and left you injured in Houston, [contact us](#) for a free consultation. We can review the right-of-way issue, preserve available evidence, and help you understand what the claim may require from here.