How Underride Truck Accidents Cause Fatal Injuries and Who Can Be Held Liable in Texas

What victims and families need to know about their legal options

Underride truck accidents are among the most devastating collisions on Texas roads. These crashes occur when a passenger vehicle gets trapped underneath the rear or side of a large commercial truck or tractor-trailer. Because the truck's frame often sits much higher than a car's bumper, the smaller vehicle's safety features may fail to protect the people inside the car.

On busy Houston highways like I-10, I-45, Highway 59, and the Loop 610, underride crashes can happen in seconds, causing catastrophic or fatal injuries. For truck accident injury victims and grieving families, the consequences can often be life-changing. Understanding how underride accidents happen and who's legally responsible is critical when seeking accountability and compensation.

Our Houston truck accident lawyers at Smith & Hassler frequently handle complicated underride accident claims or lawsuits. Proving who was at fault can be difficult and confusing. That's why we take our work so seriously and work hard to recover the compensation that injury victims and their families deserve.

What is an underride truck accident?

An underride accident happens when a smaller vehicle gets trapped beneath a commercial truck or trailer instead of colliding with its bumper or side structure. The most common type involves rear underride, where a car hits the back of a trailer and becomes trapped underneath it.

Side underride accidents can also occur when a truck turns across traffic or blocks a roadway, such as at intersections along Westheimer Road or industrial corridors near the Port of Houston. In these cases, a passenger vehicle may strike the side of a trailer with little protection.

Because underride crashes bypass the main impact zones of a car, they often result in severe head, neck, and upper-body injuries or death. This is why it's important for injury victims or family members to talk with a lawyer as soon as possible about their legal options.

Why are underride truck accidents so dangerous?

Underride crashes are especially deadly because passenger vehicles are not designed to withstand the impact of being beneath a truck. When a car underrides a trailer, the force of impact often strikes the windshield or roof rather than the reinforced bumper area. This can lead to:

- Severe traumatic brain injuries (TBIs)

- Spinal cord injuries or decapitation
- Crushing injuries to the chest and upper body
- Fatal injuries even at moderate speeds

Airbags and seatbelts often offer little protection in these scenarios. As a result, underride crashes frequently cause catastrophic injuries or fatalities that would not occur in other types of collisions.

What are underride guards and why do they matter?

Underride guards are metal bars that should be installed on the rear of large commercial vehicles and sometimes on the sides of trailers to prevent smaller vehicles from sliding underneath. These mandatory safety guards are meant to absorb the impact of a crash and are designed to keep smaller vehicles from being trapped underneath a larger truck.

When underride guards are missing, improperly installed, poorly maintained or defectively designed, they can fail during a crash. In many cases, guards bend, break, or shear off entirely, offering little or no protection at all.

The presence or failure of an underride guard is often a central issue in Texas underride accident claims. That's why it's critical that you have an attorney who understands how underride guards work and the rules and regulations involving them.

Are trucking companies required to use underride guards?

Federal regulations require most commercial trailers to have rear underride guards. However, the rules do not always mandate side underride guards and enforcement can vary. And even when guards are required, trucking companies must make sure they are:

- Properly installed
- Adequately maintained
- Not damaged or altered
- Capable of performing as intended
- Inspected according to applicable state and federal laws

Failure to comply with these legal obligations can expose trucking companies to significant liability under Texas law. That means the trucking company can be held legally responsible for the accident – and responsible for paying for all accident-related expenses.

How do underride accidents typically happen in Texas?

Underride crashes often occur during common trucking scenarios. These include sudden stops, poor visibility and unsafe maneuvers by truck drivers. Common causes include:

- Trucks stopped or moving slowly on highways like I-10 or I-45
- Poor lighting or reflective markings on trailers

- Unsafe lane changes or wide turns
- Trucks blocking intersections or roadways
- Inadequate warning signals or hazard lights

In many cases, the truck driver or carrier could have prevented the crash through safer practices or better equipment, including:

- Improper installation of underride guards
- Poor maintenance of underride guards

Whatever the circumstances, truck drivers or trucking companies should be held accountable for their reckless or negligent actions. That's why it's important to have a lawyer in such situations.

What injuries do survivors of underride accidents suffer?

When underride crashes are survivable, victims often sustain catastrophic injuries with permanent consequences. These injuries frequently require lifelong medical care and rehabilitation. Common underride injuries include:

- Traumatic brain injuries (TBIs) with lasting cognitive impairment
- Spinal cord injuries leading to paralysis
- Severe facial and skull fractures
- Crush injuries to the chest or abdomen
- Permanent neurological damage

Survivors may never return to work or independent living. These long-term effects must be fully considered in any legal claim, which can often soar higher due to the long-term financial impact of a serious underride injury claim.

Why are underride accidents often fatal?

Underride accidents are fatal more often than many other types of truck crashes because the point of impact is higher on the body. The roof and windshield of a car offer little protection against a truck's trailer edge.

In fatal cases, families are often left with unanswered questions and immense emotional and financial burdens. Wrongful death legal claims allow families to seek accountability and compensation when negligence caused the loss of life.

Who can be held liable for an underride truck accident in Texas?

Underride accidents often involve multiple responsible parties. Texas law allows injury victims and families to pursue a claim against anyone whose negligence contributed to the crash. Potentially liable (at-fault) parties can include:

- Truck drivers
- Trucking companies or motor carriers
- Trailer owners
- Maintenance providers
- Underride guard manufacturers
- Companies responsible for loading or inspecting the trailer

Identifying all responsible parties is critical to maximizing compensation. This is especially true if more than one person or company is at fault and responsible for causing the underride action due to negligence. You may be able to pursue compensation from several liable parties.

How can truck drivers be responsible for underride crashes?

Truck drivers may be liable when their actions create an unreasonable risk of underride. This includes stopping unsafely, failing to use hazard lights or making illegal turns across traffic. Driver negligence may involve:

- Distracted driving, including texting while driving
- Fatigued driving, including falling asleep at the wheel
- Unsafe lane changes, including changing lanes without signaling
- Blocking roadways without warning

When a driver's conduct violates safety rules, it can strongly support your liability claim or lawsuit against the at-fault truck driver.

Can trucking companies be held responsible?

Yes. Trucking companies can be held liable for underride accidents under several legal theories. This includes vicarious liability (trucking company was not directly involved) for driver negligence and direct liability (trucking company was directly involved) for unsafe practices.

Trucking company negligence can include:

- Failing to install or maintain underride guards
- Ignoring safety inspections
- Pressuring drivers to meet unsafe schedules
- Using defective or outdated equipment
- Hiring a truck driver with a known history of safety violations

Texas law allows injured victims to hold carriers accountable for these failures. An experienced Texas truck accident lawyer can assist with this complex legal process.

What role do manufacturers play in underride accident cases?

Manufacturers of underride guards or trailers may be liable (legally responsible) if a design or manufacturing defect caused the guard to fail. This can include guards that bend too easily, detach or fail to meet safety expectations.

Product liability claims may arise when:

- Underride guards do not perform as reasonably expected
- Designs fail under foreseeable conditions
- Warnings or instructions are inadequate

Legal cases involving defective underride guards often require expert accident analysis and engineering evidence. Manufacturers often hire entire teams of attorneys to defend their actions and fight your case. That's why it's critical that you have a skilled lawyer on your side, working with you every step of the way.

What evidence is critical in underride accident cases?

Underride claims depend heavily on technical and physical evidence. Acting quickly is essential to preserve proof before it disappears. Because without strong evidence in support of your legal case, you will likely have a hard time getting the compensation you deserve for your financial losses.

Important evidence can include:

- The truck and trailer itself
- The conditions of underride guards
- Maintenance and inspection records
- Driver logs and company policies
- Crash scene evidence and photographs
- Accident reconstruction expert analysis

Delays can result in lost or destroyed evidence. This is why it's important to have a lawyer on your side who can start gathering evidence in support of your injury claim or lawsuit as soon as possible.

How do insurance companies handle underride accident claims?

Insurance companies aggressively defend underride claims due to their high value. Instead of paying injury victims the money they deserve, many insurance companies for the at-fault party attempt to shift blame, minimize payouts or downplay the severity of injuries.

Common tactics by insurance companies include:

- Claiming someone else (besides the truck driver) caused the crash
- Disputing guard failure
- Arguing compliance with minimum regulations

- Offering lowball settlements far below the case value
- Denying the claim altogether or refusing to negotiate in good faith

Most insurance companies (especially ones representing the at-fault truck driver or the trucking company that employs the driver) only care about one thing – paying you as little money as possible or nothing at all. Legal representation is essential to counter these strategies by insurance companies.

What compensation may be available to victims and families?

Underride accident claims often involve substantial compensation (legally referred to as "damages" in many injury claim cases) due to the severity of harm. Compensation should reflect both present and future anticipated losses.

This means you should be financially compensated for:

- Emergency medical expenses
- Ongoing medical care
- Future anticipated medical treatments
- Car repairs or the cost of buying a new car
- Lost income if you need time off from work to rest and recover
- Lost future earning capacity
- Pain and suffering
- Permanent disability
- Wrongful death damages for families who lost a loved one in an underride truck accident

Accurate valuation of the total financial impact of an underride truck accident requires experienced legal and financial analysis.

How can a Houston underride accident lawyer help?

Underride accident cases are among the most complex truck accident claims. This is because there's often a lot of money at stake and multiple at-fault parties involved. This is why it's critical that injury victims or family members have an attorney with an in-depth understanding of trucking regulations, product liability law, and Texas wrongful death statutes.

An experienced Houston truck accident lawyer can:

- Thoroughly investigate the accident
- Identify all liable parties
- Preserve and analyze critical evidence
- Work with accident reconstruction experts
- Handle insurance negotiations
- File a lawsuit if necessary

Strong legal representation can help level the playing field against powerful trucking interests. Our legal team understands this area of the law. That's because we have been working with people injured in serious truck accidents for years in Houston and throughout Texas. Our case results demonstrate our ability to achieve success in complex legal cases, including $2.3 million obtained for two clients injured in a tractor-trailer collision. Contact our law firm to learn more about your legal options. We offer a free case evaluation to all potential clients.