

## **First Responses if You Receive Notice of Serious Personal Injury Accident Involving a Truck You Hire**

1. Collect all public media info you can about the accident....It will be in local newspapers, TV, Radio etc. Get copies of TV "tape". Sometime reporters uncover facts and identify witnesses that may be otherwise difficult to find. Get copies of all you can. Check social media to see if anyone (unofficial) has reported it. Copy whatever is on the internet about it. Get photos of the accident scene and the truck, and any damaged freight as soon as possible. Hire a photographer and move as fast as possible! (Don't wait for your insurance company to do this.) Sometime satellite photos can be obtained...worth a try.
2. Follow up with police and ask for a copy of their accident investigation including any photos. Talk to police (get names and phone numbers) of police at the scene...they may be witnesses. Ask them to describe the scene. (They may not due to ongoing investigation). Do not offer them any info that you do not have to...get information...not give it.
3. Notify your GL insurance / contingent motor carrier liability **and** any other insurance company that covers you for hired auto/trucks. (GL will probably not cover this type of loss....) (Notice should be verbal followed up by email/ fax or letter right away.) Ask for confirmation that they will investigate immediately.
4. Notify the shipper to collect all their own information on how the truck was loaded (i.e., they followed their own procedures) and be able to prove that this particular truck was loaded according to their established procedures, including how they block! Brace the shipment etc....shipper should also notify its own insurance company of the accident.
5. Collect all your own due diligence information in one place on how you qualified the carrier. Collect all emails and any other written information you have with the carrier relating to this particular shipment...including what instructions (if any) were given to the driver. (Do not delete any of it.)
6. Collect all information you can about the driver...age, experience, especially for transportation of this type of load, family, etc. Condolences to family (spouse) could be valuable PR for you. If carrier is a regular carrier for you, they might give you more driver information, i.e. compliance with federal regulations, his driving record, drug and alcohol tests, driver logs re hours of service, etc. It would be worth calling them to discuss...also condition of truck. Maintenance up to date? Especially brakes, lighting, door locks. Handle mechanisms...were load locks or any other type of safety device used?
7. Get weather report of road conditions at time of accident (local and natural) regardless of whether you think it was a contributing factor.
8. Get names and phone numbers of any witnesses, as well as the driver. Call the driver and get his version of what happened. Call all witnesses and get their "version" of what happened. Get as much detail as possible. DO NOT WAIT to do this. Unless they are represented by counsel, you can talk to them. Conversation should be very factual. Take good notes of the conversation.
9. If these actions are subject to any delay, hire a private investigator to perform any specific tasks that you cannot. (Get price quote/range in advance...) Do your homework and get a pre-

qualified investigator “on call” so that you are not subject to delay in finding the right company/ persons.

This info needs to be collected as soon as possible. The longer you wait, the more difficult to get valuable evidence that could help you!

10. Contact a competent personal injury defense attorney for guidance until your insurance company appoints a defense attorney.

Ronald H. Usem, Esq.  
Huffman, Usem, Crawford & Greenberg  
5101 Olson Memorial Highway, Suite 1000  
Minneapolis, MN 55422  
763-545-2720