

Cultural Daily

Independent Voices, New Perspectives

Filing a Claim After a Head-On Collision

Our Friends · Tuesday, August 25th, 2026

According to data by the National Highway Traffic Safety Administration (NHTSA), traffic fatalities in the United States reached a total of 39,254 in 2024. These figures correspond to a rate of 1.19 deaths per 100 million vehicle miles traveled.

Speeding-related crashes accounted for 11,288 deaths in 2024, representing 29% of all traffic fatalities. Speed can make head-on collisions particularly severe because it increases the energy involved in the impact.

Speeding resulted in 11,288 fatal accidents in 2024, or 29% of all the accidents that resulted in deaths at that time. It is especially damaging in incidents where cars hit each other from the front since the force generated in that type of collision is greater.

Knowing **how to file a personal injury claim** involves more than just establishing who caused the crash. A claimant must also show the extent of the injuries or losses that followed, which requires more than simply showing that other drivers were involved.

The Black Box Is Neither Required Nor Freely Available

Federal regulation does not mandate event data recorders. A rule requiring them was proposed and later withdrawn, and what the federal standard actually does is specify what an EDR must capture in a vehicle that has one. Nearly every new passenger vehicle carries one voluntarily, which is why the error survives unchallenged.

Under federal law the recorded data belongs to the vehicle owner, so reaching the other driver's module takes consent, a court order, or a narrow statutory exception rather than a request. Meanwhile, the vehicle can be repaired, sold, or scrapped. That combination is the reason a preservation demand goes out in the first days rather than after the medical picture settles.

Clear Liability Does Not End the Fault Question

A centerline crossing leaves physical evidence. Tire tracks, road surface debris, collision points, and vehicle location provide an explanation of what caused the incident.

Reconstruction reads those against damage patterns to establish trajectory and closing speed, and in most head-on cases, it points one direction without much argument.

The adjuster still works the other side of it. Speed, lane position, reaction time, anything that supports assigning a percentage to the injured driver. Most states reduce recovery in proportion to that percentage. Modified comparative regimes cut it off entirely at either fifty or fifty-one percent, depending on the state. A small number still apply contributory negligence, where any fault at all ends the claim.

A head-on collision lawyer can gather evidence such as traffic camera footage, vehicle computer data, and eyewitness statements to help victims establish liability for their case. According to **Austin head-on collision lawyer Stephen Stewart**, victims can experience great pain and financial strain after suffering from a negligence-related injury. Expert assistance from lawyers help personal injury victims deal with the intricacies involved in fault systems.

The Filing Deadline Is Not Simply Two to Three Years

There are different time limits depending on the state. Until recently, Louisiana ran a one-year prescriptive period for tort claims. This period has been in place since 1825 and is among the shortest anywhere. Act 423 of 2024 replaced it with two years effective July 1 of that year, and the change applies prospectively only. An injury on June 30, 2024, still carries one year. An injury the following day carries two. Medical malpractice is governed by a separate rule that the Act did not change.

In the State of California, two years is allowed for claims concerning injuries, whereas in the State of Colorado, the claimant is allowed two years for injuries and three years for injuries caused by motor vehicles. In Florida, two years are given for claims concerning personal injury, whereas in Arkansas, three years are allowed.

It should be noted that there could also be separate time limits for cases involving governmental organizations, wrongful death, medical malpractice, minors, and injuries discovered later.

What the Claim Is Actually Worth

Economic damages are the documented half. Bills, wages, and the projection of what care will cost across the remaining life of a permanent injury. That last piece carries the number in a serious head-on case, and it comes from a life care planner and an economist rather than from a multiple applied to the treatment already received.

Non-economic damages cover what the documentation cannot reach, and most jurisdictions permit them in motor vehicle cases, while some impose caps. Early offers arrive before any of this exists, which is the point of arriving early, and the release signed at settlement closes the file for good.

What decides the outcome of a head-on collision case is whether the electronic evidence got preserved before the vehicle went to salvage, whether the medical record ties the injuries to the crash from day one, and whether anybody checked which version of the filing deadline actually applies.

Photo: jordan besson via Pexels

[CLICK HERE TO DONATE IN SUPPORT OF OUR NONPROFIT COVERAGE OF ARTS AND CULTURE](#)

This entry was posted on Tuesday, August 25th, 2026 at 9:57 am and is filed under [Check This Out](#). You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.