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Sorting Out Liability in Car Crashes Caused by Both Negligent Driving and Unsafe Roads

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When a car crash happens, it's easy to assume one reckless driver caused it. But real-world collisions are rarely that simple. Many accidents occur not just because someone was texting or speeding, but because the road itself was unsafe. Potholes, faded lane markings, blind curves, or missing guardrails can all turn minor driver mistakes into devastating outcomes.

So what happens when a car crash involves both human error and poor infrastructure? Who is legally responsible—and how is compensation calculated when multiple parties may share the blame? These are complex questions that demand a detailed investigation. Understanding how to navigate dual-fault accidents is key to building a strong claim and holding the right parties accountable.

When Road Conditions Make Negligence Worse

[Poor road design](#) or lack of maintenance can magnify a driver's mistake. For instance, a car drifting slightly outside a lane might recover easily on a well-maintained street. But on a road riddled with potholes, a momentary lapse can send a vehicle into oncoming traffic or off the shoulder entirely.

In these cases, the car crash may not have occurred, or wouldn't have been as severe, if the roadway had been properly maintained. The condition of the road plays a critical role in crash dynamics, and in many cases, it shifts part of the liability onto a city, county, or contractor tasked with ensuring public safety.

Signs That Poor Road Conditions May Have Contributed to Your Car Crash

Not every accident screams "infrastructure failure," but certain red flags suggest the road itself may have played a role. If you notice any of the following, you may have grounds to pursue a claim against a public agency or maintenance contractor:

- **Potholes or uneven pavement:** Sudden dips or cracks that caused tire blowouts or loss of vehicle control.
- **Missing or faded lane markings:** Confusing or invisible boundaries between lanes, especially at night or in rain.
- **Malfunctioning traffic signals or signs:** Lights that didn't change properly or signage that was

missing, blocked, or unclear.

- **Lack of lighting in high-traffic areas:** Poor visibility made it difficult to anticipate curves, crossings, or other vehicles.
- **Standing water or drainage issues:** Areas where rainwater pools, leading to hydroplaning or skidding.
- **No guardrails or damaged barriers:** Places where protective structures were absent or broken near steep drops or tight curves.
- **Poorly designed intersections or exits:** Confusing layouts that encourage sudden lane changes or misjudged turns.

Who Is Responsible for the Road Itself?

Liability for unsafe road conditions often rests with government agencies or private contractors. State and local departments of transportation are responsible for designing, inspecting, and maintaining roads. When they fail to act on known hazards, like missing signage or failing traffic lights, they may be held legally accountable.

However, filing a claim against a government agency is far more complex than pursuing a private party. Strict filing deadlines, limited immunity, and procedural barriers can make these cases difficult. Legal representation is critical to ensure these claims are properly documented and meet the exact standards required to move forward.

How Comparative Fault Affects Compensation

Nevada follows a modified comparative negligence rule, meaning fault can be shared between multiple parties, including a negligent driver and a government entity. If you're partially responsible for the car crash, your compensation may be reduced in proportion to your share of fault. But if you're found more than 50 percent at fault, you may be barred from recovering damages altogether.

This makes accurate fault allocation critical in cases involving unsafe roads. Insurance companies and defense attorneys may try to shift blame onto the driver, downplaying the role of hazardous conditions. A strong legal team works to establish how infrastructure failures contributed to the crash, preserving your right to full compensation.

Evidence Must Go Beyond the Car Crash Scene

When road conditions are part of the problem, your car crash case needs more than photos of twisted metal and skid marks. You'll need to document the condition of the roadway, gather maintenance records, and, in some cases, hire traffic engineering experts who can analyze road design and safety compliance.

Legal teams often rely on public complaints, prior accident reports, and inspection logs to demonstrate a pattern of neglect. If a city had been warned multiple times about a dangerous curve or malfunctioning light but failed to act, that information becomes powerful evidence in a liability claim.

Insurance Complications in Dual-Fault Car Crashes

When both a driver and a public entity may be at fault, multiple insurance policies may be

triggered, including the driver's liability insurance and a municipal risk management fund. Navigating these overlapping coverages can be tricky, especially when insurers try to deny responsibility or offer quick, lowball settlements.

That's why partnering with professionals like **Valiente Mott Injury Attorneys**, award-winning car accident attorneys in Las Vegas, is essential. They understand how to coordinate multiple claims, identify all sources of recovery, and fight for victims when both government bodies and private insurers try to minimize their roles.

These Car Crashes Often Involve Repeat Offenders on Both Sides

Many dangerous intersections or poorly maintained stretches of road have long histories of accidents. In some cases, municipalities are aware of recurring issues but delay repairs due to budget constraints or red tape. Similarly, drivers who speed or swerve recklessly in these areas often have past citations or crash records.

Identifying patterns on both sides strengthens your case in any car crash. If officials ignored clear evidence that a road was unsafe, or if the driver had a known history of carelessness, those patterns support a higher degree of liability. Past behavior often serves as a roadmap to proving present negligence.

Pursuing Justice In a Car Crash Also Promotes Safer Roads

Accidents caused in part by unsafe roads are often warning signs of deeper infrastructure problems. When victims pursue claims, they don't just seek compensation—they help highlight systemic failures and create pressure for change. Legal action forces public agencies to take responsibility and fix hazards before they harm others.

Successful car crash claims can lead to redesigned intersections, added signage, improved lighting, and better maintenance protocols. In this way, your case can leave a lasting safety legacy—not only securing justice for yourself, but helping prevent similar tragedies in the future.

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