



Truck Accident Checklist

Essential steps to protect your health, your rights, and your claim after a commercial truck crash in Missouri and Kansas.

1 AT THE SCENE – SAFETY FIRST

A loaded semi can weigh 20–30 times what your car does, so these crashes are high-energy and chaotic. Your safety comes first – and what you do in the first minutes also protects your claim.

- **Get to safety:** If you are able, move yourself and your vehicle out of live traffic and turn on your hazard lights. Truck wreckage and spilled cargo can block lanes – stay well clear of it.
- **Call 911:** Report the crash and request police and medical help. The police report is critical, and serious truck wrecks often bring a specialized crash-investigation unit.
- **Check for injuries:** Check yourself, your passengers, and others. Do not move anyone who is seriously hurt unless they are in immediate danger.
- **Do not admit fault:** Stick to the facts with the police and the driver. Let the investigation determine fault – truck cases often involve parties who were never at the scene.

2 DOCUMENT THE CRASH

Capture the scene – and capture the truck. Identifying the carrier is the first step to finding everyone who may be responsible.

- **Photograph everything:** Both vehicles and all damage, the cargo and how it was loaded or spilled, skid marks, traffic signals, road and weather conditions, and your visible injuries.
- **Record the truck's identity:** The company name on the door, the USDOT and MC numbers, the license plates of both the tractor and the trailer, and the trailer or unit numbers.
- **Get the driver and carrier details:** The driver's name and CDL, the trucking company's name, and the driver's and company's insurance information.
- **Identify witnesses:** Names and phone numbers of anyone who saw the crash. An independent witness can be decisive in a disputed case.



3 PRESERVE THE EVIDENCE BEFORE IT DISAPPEARS

This is what makes a truck case different from a car case. The most powerful evidence sits inside the truck and the carrier's files — and federal rules let the company destroy some of it on a short clock.

- **The truck's "black box" and ELD:** The engine control module (ECM) and electronic logging device record speed, braking, and the driver's hours. Once the truck is repaired or back in service, that data can be overwritten or lost.
- **Federal records have a short shelf life:** Carriers are required to keep a driver's hours-of-service logs and supporting documents for only six months. After that, they can lawfully be gone.
- **Send a preservation letter immediately:** An attorney can demand, in writing, that the carrier preserve the logs, ECM and ELD data, dispatch and maintenance records, the driver's qualification file, and the truck itself before anything is altered or destroyed.
- **Do not repair or scrap your own vehicle yet:** It is evidence too. Keep it available for inspection until your lawyer advises otherwise.

4 MEDICAL CARE & YOUR HEALTH

Truck collisions are high-energy, and serious injuries are common. Your health is the priority — and your medical records are the backbone of any claim you bring.

- **Get checked out right away:** Even if you feel fine. Adrenaline can mask serious injuries — concussion, internal bleeding, spinal damage — for hours or days. Go to the ER or urgent care.
- **Follow your treatment plan strictly:** Attend every follow-up and complete physical therapy. Insurers seize on "gaps in treatment" to argue you were not seriously hurt.
- **Keep every record and receipt:** Medical bills, prescriptions, mileage to and from appointments, and any out-of-pocket cost connected to the crash.
- **Track your lost work:** Document missed days, reduced hours, and any income lost because of your injuries.



5 INSURANCE & COMMUNICATION

A trucking company's insurer and rapid-response team can reach the scene within hours, working to limit what the company pays. How you handle them matters.

- **Expect a fast, well-resourced response:** Carriers often send investigators and adjusters immediately. Be cautious — they work for the company, not for you.
- **Do not give a recorded statement:** You are not required to give one to the truck's insurer, and your words can be taken out of context to shift blame. Decline politely and speak with an attorney first.
- **Do not accept a quick settlement or sign a release:** Early offers arrive before the full cost of serious injuries is known. Once you sign, you usually cannot reopen the claim.
- **Stay off social media:** Do not post about the crash, your injuries, or your activities. A single photo can be used by the defense to argue your injuries are exaggerated.

6 MISSOURI VS. KANSAS — AND THE FEDERAL LAYER

In the Kansas City metro, the state where your crash happened sets your deadlines and recovery rules — and federal rules add a layer that is unique to trucks.

At-Fault vs. No-Fault — Who Pays First

- **Missouri (At-Fault):** You can pursue the at-fault driver and the trucking company directly — including for pain and suffering — from the start.
- **Kansas (No-Fault / PIP):** Your own Personal Injury Protection (PIP) coverage pays your medical bills and lost wages first. To sue the at-fault parties for pain and suffering, your claim must cross a threshold — generally more than \$2,000 in medical bills, or a fracture, permanent injury, disfigurement, or death.

Deadlines & Shared Fault

- **Statute of limitations:** Missouri generally allows five (5) years from the date of the crash; Kansas generally allows only two (2) years. Miss the deadline and the case is dismissed.
- **Comparative fault:** Missouri lets you recover even if you were mostly at fault (reduced by your share). Kansas bars any recovery if you are found 50% or more at fault.



The Federal Layer – Why Trucks Are Different

- **Federal safety rules apply:** Trucking companies must follow the Federal Motor Carrier Safety Regulations – hours-of-service limits, driver qualification, maintenance, and drug testing. Violations can be powerful evidence of negligence.
 - **More insurance, and often more than one policy:** Interstate carriers hauling general freight must carry at least \$750,000 in liability coverage – far more than a typical driver – and the carrier, driver, broker, or shipper may each carry coverage that applies.
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EXTRA NOTES

You deserve clarity, representation, and a full pursuit of what is right.

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