



What To Do After a Truck Accident in Florida

An Informational Guide for Victims of 18-Wheeler,
Semi-Truck, and Commercial Vehicle Crashes

FMCSA Regulations • Multiple Liable Parties • Higher Insurance Limits
Black Box Evidence • Florida No-Fault Rules • Your Legal Options

2026 Edition | Free Informational Guide

About This Guide

This free informational guide was created by [LexPair](#) to help people in Florida understand their rights and options after being involved in a crash with a commercial truck, 18-wheeler, semi-truck, or other large commercial vehicle.

Truck accident cases are fundamentally different from typical car accidents. They involve federal regulations from the Federal Motor Carrier Safety Administration (FMCSA), multiple potentially liable parties, higher insurance minimums, electronic logging data, and injuries that are often catastrophic due to the massive size and weight disparity between commercial trucks and passenger vehicles.

This guide provides general information about truck accidents in Florida: the unique regulations that apply, how liability and insurance differ from car accidents, what evidence to preserve, and when it may make sense to consult an attorney. **This guide is not legal advice.** Every situation is different, and a licensed Florida attorney should be consulted for guidance on any specific case. Florida statute references cite the 2025 Florida Statutes. Federal regulation references cite the Code of Federal Regulations (CFR) as published by the U.S. Government.

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Federal regulation references cite 49 CFR (Code of Federal Regulations). Florida statute references cite the Florida Statutes as published by the Florida Legislature. This guide is informational only and does not constitute legal advice.

CHAPTER 1

Why Truck Accidents Are Different

A collision between a passenger vehicle and a commercial truck is not the same as a typical [car accident](#). The differences affect every aspect of the case — from the severity of injuries to the complexity of the legal process.

Size and Weight Disparity

A fully loaded 18-wheeler can weigh up to 80,000 pounds under federal law. A typical passenger car weighs approximately 3,500 to 4,500 pounds. This means a commercial truck can outweigh a car by a factor of 20 to 1. The physics of this disparity make truck crashes far more likely to result in catastrophic injuries or fatalities for occupants of the smaller vehicle.

See 23 CFR § 658.17 (federal weight limits for trucks on the Interstate Highway System); Fla. Stat. § 316.535 (Florida weight limits).

Multiple Layers of Regulation

Unlike passenger vehicles, commercial trucks are subject to both Florida state law and an extensive body of federal regulations enforced by the Federal Motor Carrier Safety Administration (FMCSA). These regulations govern driver qualifications, hours of service, vehicle maintenance, cargo securement, drug and alcohol testing, and insurance requirements. A violation of these regulations can be powerful evidence of negligence in a truck accident case.

See 49 CFR Parts 380–399 (FMCSA safety regulations for motor carriers and drivers).

Multiple Potentially Liable Parties

In a typical car accident, the at-fault driver is generally the only liable party. Truck accidents often involve multiple parties who may share responsibility, including the truck driver, the trucking company (motor carrier), the company that loaded or secured the cargo, the vehicle or parts manufacturer (in cases involving equipment failure), the maintenance provider, and the freight broker or shipper. Identifying all potentially liable parties is critical because it expands the pool of available insurance coverage.

More Severe Injuries

Due to the forces involved, truck accidents commonly result in injuries that are far more severe than those in typical car crashes. These may include traumatic brain injuries, spinal cord injuries and paralysis, crush injuries and amputations, severe burns, internal organ damage, and wrongful death. The medical costs and long-term care associated with these injuries can be substantial.

LEXP AIR TIP

Truck accident cases are among the most complex in personal injury law. If you or a family member was involved in a crash with a commercial truck, consulting an experienced [truck accident attorney](#) is generally advisable. LexPair can help — [start a free consultation](#).

CHAPTER 2

Federal Regulations That Apply (FMCSA)

The Federal Motor Carrier Safety Administration (FMCSA) is the federal agency responsible for regulating the trucking industry. Its regulations, found in Title 49 of the Code of Federal Regulations, establish safety standards that apply to most commercial motor vehicles operating in interstate commerce. Florida generally adopts and incorporates these federal standards for intrastate operations as well.

See Fla. Stat. Chapter 316 and Florida Administrative Code Chapter 14-90 (adoption of federal standards for intrastate operations).

Hours of Service (HOS) Rules

Federal HOS regulations limit how long a truck driver can drive and remain on duty. For property-carrying drivers, the key limits are: a maximum of 11 hours of driving after 10 consecutive hours off duty; no driving after 14 consecutive hours on duty (the “14-hour window”); a mandatory 30-minute break after 8 cumulative hours of driving; and a weekly limit of 60 hours on duty in 7 days or 70 hours in 8 days. Electronic Logging Devices (ELDs) have been mandatory since December 2017 to record compliance. Florida intrastate drivers are subject to similar but slightly different limits: 12 hours of driving after 10 consecutive hours off duty, and a 16-hour on-duty limit.

49 CFR § 395.3 (federal HOS limits for property-carrying drivers); 49 CFR § 395.8 (ELD requirements); Florida intrastate HOS rules per FDOT regulations.

Commercial Driver’s License (CDL) Requirements

Drivers of commercial motor vehicles must hold a valid Commercial Driver’s License (CDL). In Florida, drivers must be at least 18 years old for intrastate travel and 21 for interstate travel. CDL holders must pass knowledge and skills tests, meet vision standards (at least 20/40 in each eye), and cannot have disqualifying traffic offenses such as DUI or leaving the scene of an accident.

Fla. Stat. § 322.01(8) (definition of commercial motor vehicle for CDL purposes); 49 CFR Part 383 (CDL standards).

Drug and Alcohol Testing

Federal regulations require pre-employment drug testing, random testing, post-accident testing, and reasonable suspicion testing for all CMV drivers performing safety-sensitive functions. The legal blood alcohol concentration (BAC) limit for commercial drivers is 0.04% — half the 0.08% standard for regular drivers. Drivers are also prohibited from consuming alcohol within 4 hours before driving or within 8 hours following an accident.

49 CFR Part 382 (controlled substance and alcohol use and testing); 49 CFR § 392.5 (alcohol prohibition).

Vehicle Maintenance and Inspection

Motor carriers are required to systematically inspect, repair, and maintain all commercial vehicles under their control. Drivers must conduct pre-trip and post-trip inspections and report any defects. The Florida Highway Patrol's Office of Commercial Vehicle Enforcement (OCVE) may stop and inspect any commercial vehicle at any time. Post-crash inspection data has shown that a significant percentage of trucks involved in accidents have at least one mechanical violation.

49 CFR Part 396 (inspection, repair, and maintenance requirements); 49 CFR § 392.7 (parts and accessories necessary for safe operation).

Cargo Securement

Improperly loaded or unsecured cargo is a common contributing factor in truck accidents. Federal regulations establish specific requirements for how different types of cargo must be secured, including the number and type of tiedowns, blocking, and bracing required.

49 CFR Part 393, Subpart I (cargo securement standards).

WHY REGULATIONS MATTER IN YOUR CASE

Under Florida law, a violation of a safety statute or regulation designed to protect a class of persons from a specific type of harm may create a presumption of negligence — a legal concept known as “negligence per se.” If a truck driver or trucking company violated FMCSA regulations and that violation contributed to the crash, it can be powerful evidence in a claim.

CHAPTER 3

At the Scene: Critical Steps After a Truck Crash

The immediate aftermath of a truck accident can be chaotic and overwhelming. The following are general steps commonly recommended. **If you are seriously injured, your health is the first priority.**

Call 911 Immediately

Truck accidents almost always involve injuries that require emergency medical attention. Florida law requires drivers involved in a crash resulting in injury to stop and remain at the scene. Calling 911 ensures both medical response and a law enforcement investigation.

Fla. Stat. § 316.027(2) (duty to stop at crash involving injury); Fla. Stat. § 316.062 (duty to give information and render aid).

Document Everything You Can

If physically able, documenting the scene is critical. This may include: photos and video of all vehicles from multiple angles (including the truck's license plate, DOT number, and company name on the cab or trailer); the road layout, traffic signals, skid marks, and debris; any visible damage to the truck (tire condition, brake components, cargo spillage); weather and lighting conditions; and the names and contact information of any witnesses. The DOT number on the side of the truck is especially important — it can be used to look up the carrier's safety record, insurance information, and inspection history through the FMCSA's SAFER System.

Seek Medical Attention Promptly

Even if injuries do not seem severe, seeking medical evaluation is generally advisable. Florida's 14-day rule under Fla. Stat. § 627.736 applies to truck accidents just as it does to car accidents: initial medical treatment from a qualifying provider must be received within 14 days to preserve PIP benefits. Many truck accident injuries — including internal bleeding, traumatic brain injuries, and spinal injuries — may not present obvious symptoms immediately.

Fla. Stat. § 627.736(1)(a) (14-day treatment requirement for PIP benefits).

IMPORTANT: PRESERVE THE TRUCK'S DATA

Commercial trucks contain electronic data that can be critical evidence: the Electronic Control Module (ECM or "black box") records speed, braking, and engine data; the ELD records the driver's hours of service; and dash cameras or GPS systems may contain additional data. This evidence can be overwritten or destroyed. An attorney can send a spoliation letter to the trucking company demanding preservation of all electronic data and records.

LEXPAIR TIP

The sooner an attorney is involved after a truck accident, the better the chances of preserving critical evidence. Trucking companies often dispatch their own investigators to the scene quickly. [LexPair](#) can connect you with a [truck accident attorney](#) who understands how to act fast — [start here](#).

CHAPTER 4

Who May Be Liable in a Truck Accident

One of the key differences between truck and car accidents is the number of parties who may bear responsibility. In a typical car crash, liability usually falls on one or both drivers. In a truck accident, multiple entities may share fault.

The Truck Driver

The driver may be liable for negligent driving, speeding, distracted driving, driving under the influence, or violating hours-of-service rules (driving while fatigued). Federal regulations require CMV drivers to maintain a BAC below 0.04% and prohibit the use of hand-held mobile devices while driving.

49 CFR § 392.5 (alcohol prohibition); 49 CFR § 392.82 (cell phone restriction).

The Trucking Company (Motor Carrier)

The motor carrier may be liable for negligent hiring (failing to screen drivers properly), negligent supervision, inadequate training, pressuring drivers to violate HOS rules, or failing to maintain vehicles. Under the legal doctrine of respondeat superior, an employer may also be held vicariously liable for the negligent acts of its employees committed within the scope of employment.

49 CFR Part 391 (qualifications of drivers and longer combination vehicle driver instructors).

Cargo Loading Companies

If improperly loaded, overweight, or unsecured cargo contributed to the crash — for example, by causing the truck to tip over or by cargo falling onto the roadway — the company responsible for loading and securing the cargo may share liability.

49 CFR Part 393, Subpart I (cargo securement standards).

Vehicle and Parts Manufacturers

If a mechanical defect contributed to the crash — such as brake failure, tire blowout, or a steering defect — the manufacturer of the truck or the defective component may be liable under product liability law.

Maintenance Providers

If a third-party maintenance company performed inadequate repairs or inspections, and that failure contributed to a mechanical problem causing the crash, the maintenance provider may share liability.

49 CFR Part 396 (inspection, repair, and maintenance).

Government Entities

In some cases, a poorly designed road, missing signage, or inadequate maintenance of the roadway itself may contribute to a truck accident. Claims against government entities in Florida are subject to sovereign immunity limitations and specific notice requirements.

Fla. Stat. § 768.28 (waiver of sovereign immunity in tort actions).

LEXPAIR TIP

Identifying all potentially liable parties is one of the most important steps in a truck accident case. An experienced [truck accident attorney](#) knows where to look. [Get paired through LexPair.](#)

CHAPTER 5

Insurance in Truck Accident Cases

One of the most significant advantages in a truck accident claim compared to a car accident is the amount of insurance coverage typically available. Federal and state law require commercial trucks to carry substantially higher insurance minimums than passenger vehicles.

Federal Insurance Minimums

Under FMCSA regulations, for-hire interstate carriers must maintain minimum levels of financial responsibility (liability insurance). For general freight carriers operating vehicles over 10,001 pounds, the federal minimum is \$750,000 in public liability coverage. Carriers transporting oil must carry at least \$1,000,000. Carriers transporting certain hazardous materials must carry \$5,000,000. In practice, many trucking companies carry policies well above these minimums, and large carriers may have multi-layered insurance “towers” totaling tens of millions of dollars.

49 CFR § 387.9 and § 387.303 (minimum levels of financial responsibility for motor carriers).

\$750K

Federal Minimum General Freight

\$1M

Federal Minimum Oil Transport

\$5M

Federal Minimum Hazmat Transport

The MCS-90 Endorsement

Federal law requires an MCS-90 endorsement on commercial auto liability policies filed with the FMCSA. This endorsement requires the insurer to pay public liability claims — bodily injury and property damage — even if the underlying policy would otherwise exclude the claim. The insurer can later seek reimbursement from the carrier, but the injured party gets paid first. This is a significant protection for truck accident victims.

49 CFR § 387.15 (MCS-90 endorsement requirements).

How This Differs from Car Accident Insurance

In a typical Florida car accident, the at-fault driver’s bodily injury liability policy might be as low as the state minimum. In contrast, the federal minimum for a general freight truck is \$750,000 — and many carriers carry far more. This higher coverage pool means there is generally more insurance available to compensate seriously injured victims, but it also means the insurance companies will fight harder to minimize payouts.

LEXPAIR TIP

Truck insurance claims are complex. A [truck accident attorney](#) can investigate the carrier's full insurance structure — including excess and umbrella layers — to maximize recovery. [Start a free consultation with LexPair.](#)

CHAPTER 6

Preserving Critical Evidence

Evidence in truck accident cases can disappear quickly. Trucking companies may repair or dispose of damaged vehicles, electronic data can be overwritten, and driver logs can be altered. Acting quickly to preserve evidence is essential.

Electronic Data

Modern commercial trucks are equipped with electronic systems that record valuable data. The Electronic Control Module (ECM), sometimes called the “black box,” records vehicle speed, braking patterns, throttle position, and engine RPM in the moments before and during a crash. Electronic Logging Devices (ELDs) record the driver’s hours of service. GPS tracking systems record the truck’s route and stops. Some trucks also have forward-facing and cab-facing cameras. This data can be overwritten within days or weeks if not preserved.

49 CFR § 395.8 (ELD requirements); ECM data retention varies by manufacturer.

Driver Records

Federal regulations require motor carriers to maintain detailed records for each driver, including the driver’s application for employment, road test certificate, annual driving record review, medical examination certificate, and drug and alcohol test results. These records can reveal whether the carrier conducted proper background checks and whether the driver had a history of violations.

49 CFR Part 391 (driver qualification files); 49 CFR § 391.51 (general requirements for driver qualification files).

Maintenance Records

Carriers must maintain inspection, repair, and maintenance records for each vehicle. These records can reveal whether the truck was properly maintained and whether known mechanical issues were addressed before the crash.

49 CFR § 396.3 (inspection, repair, and maintenance records).

The Spoliation Letter

Because evidence can be lost or destroyed, attorneys commonly send a “spoliation letter” (also called a preservation demand or litigation hold letter) to the trucking company, its insurer, and any other relevant parties immediately after a crash. This letter formally demands that all evidence be preserved, including electronic data, driver logs, vehicle inspection records, employment files, and communications. Failure to preserve evidence after receiving such a letter can result in adverse legal consequences for the trucking company.

TIME IS CRITICAL

Trucking companies often send their own investigation teams to the scene within hours of a crash. The sooner an attorney is involved, the better the chances of preserving electronic data, securing witness statements, and preventing evidence from being lost or destroyed.

CHAPTER 7

Florida's No-Fault System and Truck Accidents

Florida's no-fault PIP insurance system applies to truck accidents in the same way it applies to car accidents — but the severity of truck accident injuries often means that PIP coverage is quickly exhausted and additional claims become necessary.

PIP Still Applies

After a truck accident in Florida, the injured person's own PIP coverage generally pays first, up to \$10,000 (80% of medical expenses, 60% of lost wages). The 14-day treatment deadline under Fla. Stat. § 627.736 still applies. The \$2,500 vs. \$10,000 distinction based on emergency medical condition determination also applies.

Fla. Stat. § 627.736(1)(a) (PIP benefits and 14-day rule).

Stepping Outside No-Fault

Because truck accidents frequently result in severe injuries, many victims meet Florida's serious injury threshold, which allows them to pursue a claim directly against the at-fault parties for damages beyond PIP — including pain and suffering, full medical expenses, lost earning capacity, and other damages. The serious injury threshold requires significant and permanent loss of an important bodily function, permanent injury, significant and permanent scarring or disfigurement, or death.

Fla. Stat. § 627.737(2)(a)–(c) (serious injury threshold).

Comparative Negligence

Florida's modified comparative negligence system applies to truck accidents. If the injured person is found more than 50% at fault, they are barred from recovery. In truck accidents, the trucking company's insurer may try to shift blame to the car driver — arguing the car was in the truck's blind spot, changed lanes unsafely, or was following too closely. Strong evidence and legal representation can help counter these arguments.

Fla. Stat. § 768.81 (comparative fault), as amended by CS/CS/HB 837 (2023).

Statute of Limitations

The statute of limitations for most negligence-based truck accident claims in Florida is two years from the date of the accident (for causes of action accruing after March 24, 2023). Wrongful death claims generally carry a two-year deadline from the date of death. Missing these deadlines can permanently bar recovery.

Fla. Stat. § 95.11 (statutes of limitations), as amended by CS/CS/HB 837 (2023).

LEXPAIR TIP

With a two-year statute of limitations and evidence that can disappear within days, acting quickly after a truck accident is critical. LexPair can pair you with a [truck accident attorney](#) in Florida — [start now](#).

CHAPTER 8

When to Consult a Truck Accident Attorney

Given the complexity of truck accident cases, consulting a [truck accident attorney](#) is generally advisable in most situations involving a commercial vehicle. Unlike car accidents, truck cases typically require investigation of federal regulatory compliance, analysis of electronic data, identification of multiple defendants, and negotiation with well-funded insurance carriers.

Consulting an Attorney Is Especially Important When:

- The crash involved any commercial truck, 18-wheeler, tanker, or delivery vehicle
- Injuries are severe, require hospitalization, or may be permanent
- A family member was killed in the crash
- The trucking company's insurer has already contacted you
- You have been offered a quick settlement
- There is any dispute about who was at fault
- The truck driver may have been fatigued, impaired, or distracted
- Cargo spilled or shifted during the crash
- The truck appeared to have mechanical problems (bald tires, brake failure, broken lights)

How Truck Accident Attorneys Typically Get Paid

Most truck accident attorneys in Florida work on a contingency fee basis, meaning the client generally pays nothing upfront. The attorney typically receives a percentage of the recovery only if compensation is obtained. Fee structures vary, and the specific terms should be discussed directly with the attorney.

What a Truck Accident Attorney Generally Does

An experienced truck accident attorney typically: sends an immediate spoliation letter to preserve evidence; investigates the carrier's FMCSA safety record and insurance filings; obtains and analyzes the truck's ECM ("black box") data, ELD records, and GPS tracking; reviews driver qualification files, drug test results, and HOS logs; identifies all potentially liable parties and their insurance coverage; retains accident reconstruction experts if needed; and handles all negotiation and litigation with the insurance companies.

LEXP AIR TIP

LexPair connects people with verified, pre-screened [truck accident attorneys](#) in Florida. Describe the accident, and the system matches you with attorneys who handle your type of case. Consultations are free and there is no obligation. [Start a free case evaluation.](#)

CHAPTER 9

Your Post-Truck-Crash Checklist

This checklist summarizes the general steps commonly recommended after a truck accident in Florida. It is provided for informational purposes only — consult a licensed attorney for guidance on any specific situation.

At the Scene (If Physically Able)

- Call 911 immediately
- Do not move if you may have a spinal injury — wait for emergency responders
- Photograph the truck's DOT number, company name, license plate, and trailer number
- Photograph vehicle damage, road conditions, skid marks, cargo spillage, and debris
- Collect witness names and contact information
- Request the police report number — Fla. Stat. § 316.066
- Do not admit fault or give detailed statements to the trucking company's representatives

Within 24–48 Hours

- Seek medical evaluation — even if symptoms seem mild (remember the 14-day PIP rule)
- Report the accident to your own insurance company
- Write down everything you remember about the crash in detail
- Do NOT speak with the trucking company's insurer without attorney guidance
- Do NOT sign anything from the trucking company or its insurer
- Contact a truck accident attorney as soon as possible

Within 14 Days — PIP DEADLINE (Fla. Stat. § 627.736)

- Receive initial medical treatment from a qualifying provider (MD, DO, dentist, or chiropractor)
- Ask the doctor about emergency medical condition determination (full \$10K PIP vs. \$2,500)
- Keep all medical records and bills

Ongoing

- Continue all prescribed medical treatment
- Keep a daily injury journal documenting pain levels and limitations
- Track all expenses related to the accident
- Avoid posting about the accident on social media
- Be aware of the 2-year statute of limitations — Fla. Stat. § 95.11
- Follow your attorney's guidance on all communications with insurers

LEXPAIR TIP

Truck accident cases move fast. Trucking companies deploy investigation teams quickly, and evidence can disappear within days. The best time to consult a [truck accident attorney](#) is immediately after the crash. LexPair makes it easy — [start a free case evaluation today](#).

Injured in a Truck Accident?

LexPair connects people with verified, pre-screened [truck accident attorneys](#) in Florida who handle commercial vehicle cases. The service is free, fast, and confidential.

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Email: contact@lexpair.com

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