

TRUCK DRIVER RESPONSIBILITIES IN CALIFORNIA

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MICHAEL D. WAKS

LONG BEACH AUTOMOBILE ACCIDENT ATTORNEY



It is important for victims of truck crashes to understand truck driver responsibilities. When a trucker fails to live up to all his obligations, the truck driver may be considered *negligent* under California law. A negligent trucker is responsible for compensating victims if a truck crash occurs as a direct result of his carelessness.

Truck drivers have responsibilities imposed under state law as well as under federal law. The duties that a professional trucker has are more extensive than the responsibilities of a typical motorist because trucks are more difficult to drive and because truck crashes can be much more dangerous than typical accidents involving passenger vehicles only.

A TRUCKER'S RESPONSIBILITY TO EXERCISE REASONABLE CARE TO PREVENT LONG BEACH CRASHES

Truck drivers are required to have a commercial driver's license (CDL) and to undergo training in order to ensure they know how to operate large big rigs and tractor-trailers. A trucker typically must have two years of driving experience

before being hired to drive large commercial trucks; however, a [shortage of qualified and trained truckers](#) may result in less experienced truck drivers on the roads.



A trucker's most basic and fundamental responsibility is to draw on his training and knowledge to ensure he is operating his vehicle in a reasonably safe manner and to ensure he is taking steps to prevent a collision. Truckers, like all drivers, are expected to be at least as careful behind the wheel as the average hypothetical motorist would be.

If a crash victim can demonstrate that a trucker was negligent or made careless choices that directly led to a collision, the victim can file a personal injury claim and should be compensated for losses resulting from the truck crash.

FEDERAL LAWS ON TRUCKER RESPONSIBILITIES FOR CRASH PREVENTION



Truck drivers and trucking companies who cross state lines, or whose activities impact interstate commerce, are subject to federal rules and regulations. The Federal Motor Carrier Safety Administration oversees truck driver compliance with [Federal Motor Carrier Safety Regulations](#) (FMCSR).

The FMCSA imposes responsibilities on trucking companies as well as truck drivers. For example, federal rules require that trucking companies carry at least \$750,000 in liability insurance coverage. When the carrier is involved in the transportation of hazardous materials, the trucking company may be obligated to have at least \$5,000,000 in insurance coverage. Large minimums for liability policies ensure there is sufficient insurance coverage to provide full compensation for crash victims.



Many of the FMCSA rules are designed to reduce truck crashes by ensuring trucks are properly maintained; are not overweight; and are correctly loaded. The FMCSA also imposes strict obligations on truckers to stay sober, to avoid

driver distraction, and not to drive their trucks when they are fatigued.

Truckers are limited in hours driven per day and may operate their vehicles for a maximum of 11 hours. They may work only for a 14-hour total shift and must take a 34 hour rest break if they have driven 60 hours over seven days or 70 hours over eight days. Truckers are also not permitted to use electronic devices while operating vehicles; must check their vehicles before driving for any obvious maintenance issues; and must not have a blood alcohol concentration of .04 or higher.

STATE LAWS ON TRUCKER RESPONSIBILITIES FOR LONG BEACH TRUCK CRASH PREVENTION

Truck drivers are required to follow all California laws applicable to motorists. This includes speed limit laws, stop sign laws, and yield laws, among many other basic traffic rules. California also imposes responsibilities specific to truckers in relation to licensing and weight limits of commercial motor vehicles.

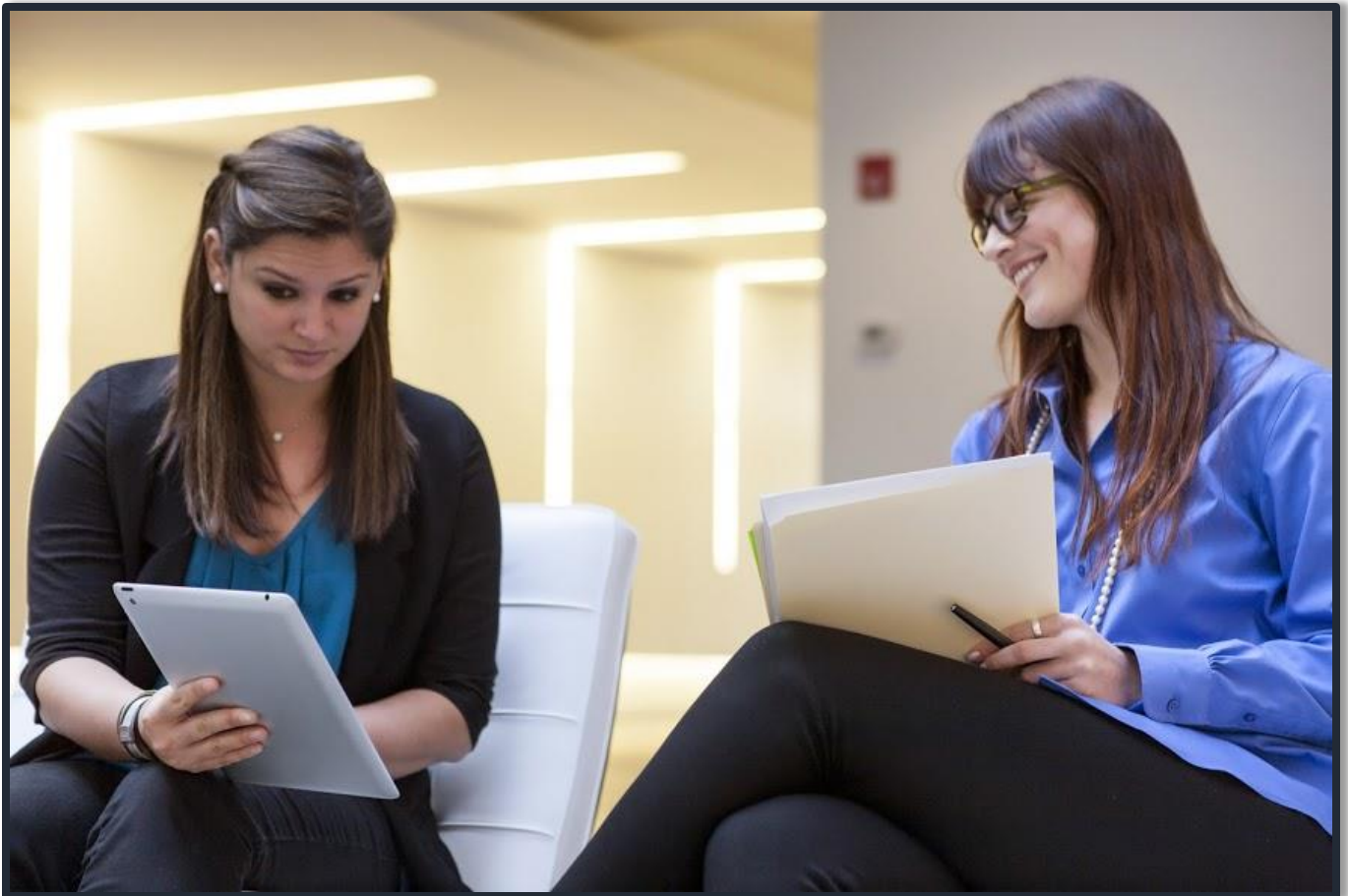
When a truck driver is involved in a motor vehicle crash, the police should be called to the scene to write an accident report. If the law enforcement officer believes the trucker violated driving safety laws, the truck driver may be ticketed. If the trucker is in violation of drunk or drugged driving laws, the driver may be arrested. A ticket and a toxicology report can both be used to prove a trucker violated responsibilities and to demonstrate that a trucker was negligent in causing a collision.



A LONG BEACH TRUCK ACCIDENT LAWYER CAN HELP

"Your Injuries are Personal to Me"

If you were involved in a motor vehicle accident that you believe occurred because a trucker failed to fulfill his responsibilities, you should speak with a Long Beach truck accident lawyer about how to recover compensation for crash losses.



Call the Law Office of Michael D. Waks at 888-394-1174 or use the convenient online [contact form](#) to schedule a free consultation. You are under no obligation and you will never pay any money unless you recover damages for your injuries. I offer bilingual services as part of my comprehensive approach to legal representation and I am available 24/7 to talk to you about your case.

About the Author



Michael D. Waks

Personal injury victims need someone who understands their pain, who is invested in them and will guide them through the complicated maze of their medical and legal worries. They need an attorney who cares about them and their families.

My name is Michael Waks and I am a personal injury attorney in the Los Angeles Area focused on the needs of people who have suffered because of someone else's actions.

While still attending Southwestern University School of Law, I clerked for a big defense law firm that represented manufacturers of asbestos. I read the files and met the people whose lives were ruined by asbestos and I knew, for the rest of my career, I wanted to help people like them: the victims, not the perpetrators.

I have been doing just that for over 30 years. As soon as I passed the Bar I opened the Law Office of Michael D. Waks in Long Beach and began exclusively representing seriously injured accident victims. I decided to be a sole practitioner so I could handle every case personally. I understand clients are different and that in the wake of an accident their suffering will be unique, ranging from physical and financial to emotional.

I tell my clients from the start, "I want you to only worry about one thing, and that is to do exactly what your doctor tells you in order to get better. Leave the rest to me."

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