

How Is Liability Determined in an Intersection Accident?

An experienced Palm Beach County lawyer can fight for your rights

Florida's intersection accident rates are among the highest in the country, and Palm Beach Gardens is no exception, with many crashes resulting in severe injuries and contested liability. Some intersections are more dangerous than others, with heavy traffic, confusing signals, and high-speed merging lanes increasing the risk of a [car accident](#). Some of the most accident-prone intersections in Palm Beach Gardens and surrounding areas include:

1. **PGA Boulevard and Military Trail:** A heavily congested intersection with multiple turn lanes and frequent red-light violations.
2. **Northlake Boulevard and Military Trail:** High-speed traffic and heavy commercial activity make this a common site for T-bone and rear-end collisions.
3. **Okeechobee Boulevard and Haverhill Road:** One of Palm Beach County's busiest intersections, prone to left-turn accidents and pedestrian incidents.
4. **Indiantown Road and I-95 Interchange:** Merging traffic from the highway creates frequent lane-change crashes and rear-end accidents.
5. **Donald Ross Road and Central Boulevard:** A high-volume intersection where speeding and distracted driving contribute to frequent collisions.

These accidents often happen in an instant, but determining fault can be anything but simple. With multiple drivers, competing accounts of what happened, and Florida's comparative negligence laws at play, proving liability can quickly become a legal battle. Insurance companies work fast to protect their bottom line, often disputing fault to reduce or deny payouts.

For those injured in an intersection crash, understanding how liability is determined is frequently necessary to securing full compensation for medical expenses, lost wages, and long-term recovery.

How liability is determined in Florida intersection accidents

Intersection accidents often involve disputed liability, and without experienced legal guidance, victims may struggle to prove fault. Determining liability in a Florida intersection accident requires a step-by-step evaluation of the crash.

Florida follows a comparative negligence system, meaning multiple drivers can share fault. If a driver is found to be 50% or less responsible, they can still recover damages, but their compensation is reduced by their percentage of fault. Insurance companies often use this to their advantage, arguing that victims share some level of blame to minimize payouts.

To counter these tactics, liability must be established using clear evidence and legal analysis.

Step 1: Identify traffic signal and right-of-way violations

The first step in determining fault is assessing whether any drivers violated Florida's traffic laws at the intersection. Some key factors include:

- Did a driver run a red light or stop sign?
- Did one vehicle turn left in front of oncoming traffic?
- Was a driver improperly merging or failing to yield at a four-way stop?

If one driver clearly ignored a traffic signal or failed to yield when required, they are more likely to be held liable. However, proving this requires additional evidence.

Step 2: Gather eyewitness statements

When drivers dispute fault, independent eyewitnesses can clarify what happened. Witnesses may confirm who had the green light, whether a driver was speeding, or if one vehicle made an unsafe maneuver. Their testimony can be important, especially when both drivers claim to have had the right of way. However, eyewitnesses can also give contradictory statements.

Step 3: Review the police report

After a crash, law enforcement typically documents the scene and files a police report. Officers may note:

- Traffic violations
- Driver and witness statements
- Road conditions and visibility issues
- A preliminary assessment of fault

While a police report is not the final word on liability, insurance companies often rely on it when evaluating claims. If the report supports a victim's case, it can be a powerful tool in negotiations. If the report contains errors, it can be difficult, but not impossible, to correct.

Step 4: Analyze vehicle damage and skid marks

The location of impact and physical damage to the vehicles can help reconstruct how the accident occurred. For example:

- T-bone collisions often indicate that one driver ran a red light or failed to yield
- Rear-end damage suggests that the following driver was at fault, unless sudden braking or mechanical failure played a role
- Skid marks reveal how fast a driver was going and whether they attempted to stop before impact

Accident reconstruction experts often use these details to create a clearer picture of fault.

Step 5: Secure surveillance and dashcam footage

Video evidence is one of the strongest forms of proof in an intersection accident claim. Traffic cameras, security footage from nearby businesses, and dashcams can confirm:

- Which driver had the right of way
- Whether a vehicle ran a red light or stop sign
- How fast each vehicle was moving

Because video footage is often deleted after a short period, it is important to act quickly to obtain it before it is lost.

Step 6: Consider Florida's comparative negligence rule

Even when one driver is primarily at fault, Florida's comparative negligence rule means both drivers can share responsibility. For example:

- A driver who ran a red light may be 80% at fault, but if the other driver was speeding, they may be assigned 20% of the blame
- A left-turning driver may be found mostly at fault, but if the oncoming driver was texting, they could share a portion of liability

Since partial fault reduces compensation, insurance companies try to shift blame whenever possible. A strong case with solid evidence can prevent them from unfairly reducing a claim.

Step 7: Build a strong legal strategy

Even with clear evidence, insurance companies may challenge claims, downplay injuries, or pressure victims into lowball settlements. Building a strong case requires:

- Securing and preserving all relevant evidence
- Documenting injuries to create a direct link between the accident and its physical consequences
- Anticipating and countering insurance company tactics
- Consulting accident reconstruction experts when necessary
- Negotiating aggressively for full compensation

Gathering evidence to support a strong legal strategy for full compensation requires timely action, as video footage may be erased, witness memories fade, and physical evidence disappears. Working with an experienced Florida car accident attorney ensures that all relevant proof is collected and used effectively to build a solid case. The right strategy can mean the difference between a reduced payout and the full compensation needed for medical expenses, lost wages, and long-term recovery.

Common causes of intersection accidents and liability challenges in Palm Beach Gardens

Intersection accidents happen when drivers fail to follow traffic laws, misjudge right-of-way, or make reckless decisions, among other reasons. Some of the most common causes of intersection accidents – and the legal challenges they create – include:

- **Running red lights and stop signs:** Drivers who try to beat a yellow light or fail to stop create dangerous T-bone crashes. Liability typically falls on the driver who ignored the signal, but disputes arise when both drivers claim they had the right of way.
- **Failing to yield the right of way:** Many crashes happen when a driver turns left in front of oncoming traffic or merges without yielding. While the driver who failed to yield is usually at fault, insurance companies may argue that the other driver was speeding or not paying attention.
- **Left-turn accidents:** A driver turning left must wait until it is safe, but misjudging gaps in traffic or turning when another driver runs a red light can cause serious crashes. While left-turning drivers are usually blamed, liability may shift if the oncoming driver was speeding or ran a signal.
- **Rear-end collisions at intersections:** A driver who fails to stop in time and rear-ends another vehicle is usually at fault. However, liability may be disputed if the lead driver made an abrupt stop, had malfunctioning brake lights, or stopped in an active intersection.
- **Multi-vehicle pileups:** When several vehicles collide at an intersection, liability becomes complicated. The initial impact often sets off a chain reaction, requiring accident reconstruction to determine which driver's actions triggered the crash.
- **Distracted driving:** Texting, adjusting a GPS, or looking away from the road for even a moment can cause a driver to miss a traffic signal or fail to see another vehicle crossing. Proving distraction is difficult, but phone records and witness statements can help establish liability.
- **Speeding or reckless driving:** Approaching an intersection too fast reduces reaction time and makes crashes more severe. Liability usually falls on the speeding driver, but insurers may argue that other factors, like poor visibility or another driver's mistake, contributed to the crash.

Intersection accidents often cause severe injuries, such as broken bones, traumatic brain injuries (TBIs), spinal cord damage, internal organ injuries, whiplash, deep lacerations, and crush injuries. The force of impact in these crashes, especially in T-bone and left-turn collisions, can leave victims with life-altering conditions that require extensive medical treatment and long-term care.

Despite the severity of these injuries, insurance companies often dispute liability to reduce payouts, arguing over right-of-way violations, traffic signals, or driver error. Proving fault

requires strong evidence – traffic camera footage, black box data, and witness statements – yet gathering and preserving this evidence is challenging without experienced legal guidance.

What to do after an intersection accident in Palm Beach Gardens

Taking immediate action after an accident can significantly impact the outcome of a claim. Many victims make critical mistakes in the aftermath of a crash that insurance companies later use against them. To protect their rights and strengthen their case, accident victims should:

- **Seek medical attention:** Some injuries don't show symptoms right away, and medical records are crucial for proving damages.
- **Report the accident:** A police report serves as an official record of the crash and may contain an initial assessment of fault.
- **Document the scene:** Photos of vehicle damage, skid marks, traffic signals, and road conditions can provide valuable evidence.
- **Gather witness contact information:** Independent statements can help clarify disputed details about how the accident occurred.
- **Avoid speaking to insurance adjusters:** Insurers may try to obtain statements that can be used to reduce or deny a claim.
- **Consult a lawyer:** Legal guidance ensures victims take the right steps, protect their interests, and pursue full compensation.

Navigating an intersection accident claim can be overwhelming, especially when dealing with insurance companies determined to limit payouts. Securing legal support early in the process can make the difference between an inadequate settlement and the compensation needed for a full recovery.

Contact an experienced car accident lawyer

Determining fault in an intersection accident is not always straightforward. Conflicting accounts, disputed right-of-way claims, and insurance company tactics can make it difficult for victims to recover the compensation they deserve. A strong case requires solid evidence, expert analysis, and the ability to challenge insurers who try to minimize payouts.

At the [Law Offices of Casey D. Shomo](#), we know the impact that injuries from a crash can have on your life. We are also familiar with the tactics used by insurance companies to minimize your claim. Our legal team is dedicated to helping you fight back to get the best possible outcome. We know how to get results – including a **\$1,100,000 recovery** for a client who needed surgery after being hurt in a motor vehicle intersection crash.

If you were injured in an intersection accident in Palm Beach County, don't leave your claim to chance. [Schedule a free consultation](#) today to discuss your case with an experienced lawyer

who can protect your rights, handle the legal complexities, and fight for the full compensation you deserve.