

## How Alabama Truck Accident Cases Involve Multiple Defendants

### Our Experienced Truck Accident Attorneys Know How to Handle Complex Claims

When you're injured in a [truck accident](#) in Alabama, it's easy to assume the driver who caused the crash is the only person responsible. In many serious truck accident cases, that's not how it works. Commercial trucking operations often involve several different companies, and more than one of them may share responsibility for your injuries. In legal terms, that responsibility is known as liability, the term for who's responsible for paying for your accident-related losses. And in many truck accident cases, liability can fall on multiple parties at once.

[Dean Waite & Associates, LLC](#) handles truck accident claims in Mobile and throughout Alabama. When we investigate a case, we look at who owned the truck, who employed the driver, who arranged the load, and who loaded the cargo. Each question can have a different answer, and each answer can point to a different at-fault party. Our Alabama truck accident attorneys know how to trace those relationships and use them to build the strongest possible case for you.

### Who Are the Parties Typically Involved in a Commercial Truck Accident?

In a commercial trucking operation, there's rarely just one company involved. The driver, the trucking company, the shipper, and the loading contractor may all be different businesses with their own legal obligations. Any of them can be held responsible for a crash, depending on what they did or failed to do. That's why truck accident cases often involve more than one defendant. The parties who are most commonly responsible include:

- **The Truck Driver:** The driver who caused the crash can be held personally responsible for their negligent actions, whether they were a company employee or an independent contractor.
- **The Trucking Company:** The company that employs or contracts the driver can be held responsible for its own failures, including hiring an unqualified driver, failing to provide proper training, or not maintaining the vehicle.
- **The Shipping Company:** The company that hired the carrier to haul its freight may share responsibility if it set unrealistic delivery schedules, pressured the carrier to overload the trailer, or kept using a carrier with a poor safety record.
- **The Loading Company:** A company that loaded or secured the cargo can be held responsible if the load shifted during transport and caused or contributed to the crash.
- **The Truck's Maintenance Provider:** If a separate company was responsible for keeping the truck in safe working condition, that company can be held responsible when deferred or negligent repairs contributed to the crash.

Each link in this chain has its own insurance policy, its own obligations under federal safety regulations, and its own potential liability for a crash.

## **What Laws Govern Multiple At-Fault Parties In Truck Accidents?**

The [Federal Motor Carrier Safety Administration \(FMCSA\)](#) enforces the regulations governing the commercial trucking industry. Many of these federal regulations – including ones involving multiple at-fault parties – can be found in [Title 49 of the Code of Federal Regulations \(CFR\)](#).

One of the most important sections for multiple-defendant cases is [49 CFR Part 390](#), which defines the legal roles of the parties involved in a commercial trucking operation. A motor carrier is any company that operates a commercial vehicle for compensation. An owner-operator is a driver who owns their own truck. A broker arranges transportation but doesn't operate the vehicle. A shipper is the company that hires the carrier to haul its freight. These definitions matter because misidentifying who played which role can seriously damage a claim.

Federal and Alabama law also assign specific legal obligations to each of these roles. Under [49 CFR § 387.9](#), carriers operating in interstate commerce must carry a minimum of \$750,000 in liability insurance. [Hours of service \(HOS\) rules under 49 CFR Part 395](#) limit how many hours a driver can be on the road before taking a required break, and violations of those rules may serve as evidence of negligence. Alabama's contributory negligence rule makes all of this even more important. Under that rule, if you're found even one percent at fault for the crash, you can be barred from recovering any compensation at all. That's why identifying and documenting every defendant's regulatory failures matters so much.

## **How Is the Truck Driver Personally Liable?**

The driver is almost always named as a defendant in a truck accident case. That's because the driver is the person who was actually operating the vehicle at the time of the crash, and they can be held personally responsible for their own negligent actions. This is true whether the driver was a direct employee of the trucking company, an independent contractor, or an owner-operator leasing their truck to a carrier. Speeding, distracted driving, driving while fatigued, and violating federal safety regulations are all forms of driver negligence.

Driver negligence is especially important to establish in Alabama because of the state's contributory negligence rule. Under that rule, if you're found even one percent at fault for the crash, you can be completely barred from recovering compensation. Defense attorneys know this and will often argue that the injured person was somehow responsible for the collision. The stronger the evidence of driver negligence, the harder it is for the defense to make that argument stick.

Driver negligence also affects the insurance picture. Every motor carrier operating in interstate commerce must carry a minimum of \$750,000 in liability coverage under 49 CFR § 387.9, and carriers hauling certain hazardous materials must carry significantly more. The driver's personal

liability is generally covered under the carrier's policy. But if the driver had a suspended CDL, falsified their credentials, or was operating outside their authorized routes, those violations can open up additional coverage channels and support other damage claims.

### **How Does a Trucking Company Face Liability Beyond the Driver?**

Trucking companies have their own legal obligations that are separate from whatever the driver did. Under federal regulations, a carrier must verify that its drivers are properly licensed, provide adequate training, monitor compliance with hours of service rules, and keep its vehicles properly maintained. When a trucking company fails to meet any of these obligations, it can be held directly responsible for a crash, even if the driver was also at fault.

Negligent hiring is one of the most common claims against trucking companies. Before putting a driver behind the wheel, a carrier must verify that the driver is properly licensed, review the driver's qualification file, and comply with federal driver qualification requirements. Many carriers also review the driver's history through the FMCSA Pre-Employment Screening Program (PSP) and prior employment records before making a hiring decision. A carrier that skipped these steps and hired a driver with a history of impaired driving or repeated violations can't point to the driver as the sole cause of the crash. The carrier made the decision to hire that driver, and it can be held accountable for that decision.

Negligent retention and supervision work the same way. A carrier that knew a driver had accumulated CSA violations or had complaints filed against them, but kept that driver on the road anyway, has its own liability exposure. Internal records like safety meeting notes, dispatcher communications, and HR files can be critical evidence in these cases. When those records show the company ignored warning signs, that conduct may rise to the level of wantonness under Alabama law, which can support a claim for punitive damages.

### **What Is The Difference Between A Truck Owner And A Carrier?**

The trucking company and the truck owner aren't always the same company. A carrier is the business that has FMCSA operating authority, meaning it's been authorized by the federal government to transport goods for compensation. A truck owner is simply the company or individual whose name is on the vehicle title. In many trucking arrangements, a carrier leases its equipment from a separate truck owner rather than owning its own fleet. When a crash involves a leased truck, both the carrier and the equipment owner may be liable, but for different reasons.

Federal regulations under [49 CFR Part 376](#) govern how these lease arrangements work. When a carrier leases a truck and driver from an equipment owner, the carrier assumes full responsibility for that vehicle's operation. The carrier must display its own USDOT number on the leased vehicle and carry insurance that covers it as if it were part of the carrier's own fleet. These rules were put in place specifically to stop carriers from avoiding liability by claiming the truck belonged to someone else.

The equipment owner can also face its own separate liability in some cases. If a truck owner leased out a vehicle they knew was defective, or put off required repairs to save money, they can be held responsible for those decisions. Evidence of that kind of negligence typically comes from the vehicle's maintenance records, inspection reports, and repair order history, all of which are obtainable through the discovery process.

### **How Do Owner-Operators Fit Into a Multiple-Defendant Case?**

An owner-operator is a driver who owns their own truck and leases it, along with their driving services, to a carrier under a written lease agreement. Owner-operators work as independent contractors rather than direct employees. This is a common arrangement in the trucking industry. When an owner-operator is involved in a crash, trucking companies and their lawyers often argue that because the driver was an independent contractor, the carrier isn't responsible for what happened. That argument doesn't always hold up.

Under federal regulations and Alabama case law, a carrier can generally be held responsible for an owner-operator's actions when the driver is operating under the carrier's authority and the carrier's USDOT number is displayed on the truck. This is known as the statutory employee doctrine. It treats the carrier as the driver's employer for liability purposes, regardless of what the lease agreement calls the relationship. Calling a driver an independent contractor doesn't protect the carrier from liability when the lease is active and the driver is working under the carrier's authority.

The owner-operator also faces personal liability as both the driver and the vehicle owner. If the crash happened because of a failed pre-trip inspection or a decision to drive while fatigued, both the driving conduct and the vehicle maintenance are at issue. In these cases, an attorney will look closely at the carrier's dispatch records and the lease agreement to determine how much control the carrier actually had over the driver's schedule and daily operations.

### **Can a Freight Broker Be Held Liable After a Crash?**

A freight broker is a company or individual that arranges transportation between shippers and carriers but doesn't own the truck or employ the driver. For years, brokers argued that federal law protected them from being sued for negligent hiring. That changed in May 2026, when the U.S. Supreme Court ruled unanimously in [Montgomery v. Caribe Transport II](#) that federal law does not prevent states from holding brokers liable when they hire unsafe carriers. That means a broker that selected a carrier with a history of safety violations, poor FMCSA ratings, or prior crashes can now be held accountable in Alabama courts.

To hold a broker responsible, you generally need to show that the broker knew or should have known the carrier it selected was unsafe. The FMCSA makes each carrier's safety record publicly available through its Company Snapshot database. That database shows a carrier's crash history, out-of-service rates, CSA BASIC scores, and whether its operating authority is currently

active. A broker that ignored a poor safety record, or didn't check the carrier's record at all, has a difficult time defending that decision in court.

Naming a broker as a defendant also adds another insurance policy to the case. Brokers are required to maintain a \$75,000 surety bond under federal law, but most carry additional liability coverage beyond that. When a broker's failure to screen a carrier properly contributed to a serious crash, that coverage becomes available to the injured victim. In catastrophic injury cases where the carrier's policy limits aren't enough to cover everything, identifying broker liability can make a significant difference in the final recovery.

### **What Role Do Cargo Shippers and Loading Companies Play?**

The shipper is the company that hired the carrier, or the broker that hired the carrier, to transport its freight. In most cases, the shipper doesn't own or drive the truck. But shippers can still be held responsible when their own conduct contributed to the crash. For example, if a shipper set an unrealistic delivery deadline that pressured the driver to skip required rest breaks, pressured the carrier to overload the trailer, or continued using a carrier it knew had a poor safety record, that conduct is part of the liability picture.

Loading companies can face a more direct path to liability when improperly secured cargo caused or contributed to the crash. Federal cargo securement rules under 49 CFR Part 393 specify exactly how freight must be distributed and secured on a commercial trailer. When cargo isn't loaded correctly, it can shift during transport and cause the driver to lose control, resulting in a jackknife, rollover, or collision with no warning. When a loading crew violated those rules, the company that employed them can be held responsible for what happened.

The evidence needed to prove a loading company's liability doesn't travel with the truck. It stays at the shipping facility in the form of manifests, weight records, internal loading protocols, and documentation of the cargo's condition when the driver took possession of it. That evidence needs to be preserved quickly. Routine document destruction policies at warehouses and shipping facilities can eliminate key records long before a case reaches trial, which is one more reason to contact a lawyer as soon as possible after a serious Alabama truck accident.

### **Why Does Identifying All Defendants Early Matter So Much?**

Each defendant in a truck accident case is a separate source of compensation. A case against a carrier with \$1 million in coverage is different from a case that also names a broker with \$5 million in coverage and a shipper with \$10 million. Serious truck accidents often produce serious injuries, including spinal cord damage, traumatic brain injuries, and multiple fractures. The long-term cost of those injuries can easily exceed any single defendant's policy limits. Identifying every at-fault party can maximize your recovery.

Three specific consequences follow when one or more at-fault parties are missed:

- **Recovery Gets Capped:** A case that names only the carrier stops at the carrier's policy limits, even when a broker or shipper with separate coverage also shares fault for the crash.
- **Defense Gets a Free Pass:** Under Alabama's contributory negligence rule, defendants who aren't named can point at each other from outside the lawsuit, making it easier to redirect fault toward the injured person.
- **Evidence Disappears:** A carrier's black box data and ELD records may only exist for six months; a broker's vetting files and a loading facility's manifests can be purged sooner. A preservation demand should be sent to every potentially responsible party as soon as possible after the crash.

When a party receives a preservation demand, they're on legal notice that their records are relevant to a pending claim. Destroying those records after receiving that notice is called spoliation, and Alabama courts treat it seriously. Naming every at-fault party from the beginning is also the best way to prevent defendants from pointing fingers at each other and away from you.

### **How Can an Experienced Alabama Truck Accident Attorney Help?**

If a commercial truck seriously injured you or a family member in Alabama, there may be more than one company responsible for what happened. Finding out who they are, tracing their contractual relationships, and demanding preservation of their records takes time and legal experience that most injury victims simply don't have while recovering from their injuries.

Dean Waite & Associates, LLC has been handling truck accident cases in Mobile and throughout Alabama for years. We know how to identify every party that shares responsibility for a crash, send preservation demands before critical evidence disappears, and build a case that accounts for every available source of compensation.

Our law firm has a clear track record of success. We have recovered over \$150 million for Alabama injury victims, including a [\\$6.75 million settlement](#) for the family of a victim killed in a Mobile truck crash. That result required holding the right parties accountable for their actions.

Put your trust in an Alabama truck accident lawyer who gets results. [Contact us](#) and schedule your free case evaluation. We can meet with you in our office, your home or your hospital room – wherever's convenient for you. We simply want to help you get your life back on track.