

Common Insurance Tactics Used Against Injured Pedestrians

How Insurance Companies Try to Minimize Pedestrian Injury Claims in Georgia

After a [pedestrian accident](#), you expect the insurance company to step in and do the right thing. But too often, injured pedestrians are met with delay, denial, and tactics designed to protect profits—not people. These strategies aren't random. Insurance adjusters are trained to reduce claim payouts, even in cases where the victim was clearly hit through no fault of their own.

At the [Law Offices of Gary Martin Hays & Associates](#), we've seen firsthand how insurers try to shift blame, downplay injuries, and pressure victims into unfair settlements. If you were hit by a car while walking in Georgia, you need to know what you're up against—and how an experienced pedestrian accident lawyer can fight back.

Why Insurance Companies Treat Pedestrian Claims Differently

Pedestrian accident cases are often high-value because the injuries involved are usually severe. A person on foot has no protection against the force of a moving vehicle. That means broken bones, head trauma, spinal injuries, or worse. These injuries result in major medical expenses, lost income, and long-term suffering.

Because the stakes are so high, insurance companies become more aggressive. They know that if they can limit or deny the claim early, they might avoid paying out tens or even hundreds of thousands of dollars later. Their approach often includes:

- Pushing for early recorded statements before the full extent of injuries is known
- Using vague or misleading policy language to deny coverage
- Disputing the cause or mechanics of the accident

It's a calculated game—and one that injured pedestrians can't afford to lose.

Blaming the Pedestrian Without Evidence

One of the most common tactics we see is blaming the victim. The insurer might argue that the pedestrian "darted into the street," crossed outside a crosswalk, or wasn't paying attention. In many cases, these claims aren't supported by the evidence—but they still create doubt and can lower your payout.

We counter these efforts by launching a prompt and thorough investigation. That includes securing witness statements, camera footage, police reports, and expert analysis. Georgia law does allow partial fault to reduce compensation, but it doesn't eliminate your right to recover—especially when the driver was speeding, distracted, or failed to yield.

Downplaying the Severity of Injuries

Another tactic is minimizing the actual injury. Insurance companies may suggest you're exaggerating, question your treatment plan, or claim your injuries are pre-existing. This is especially common with soft tissue injuries, like torn ligaments or herniated discs, which may not show up clearly on scans.

We fight back by gathering a full medical record, working with your doctors, and documenting every aspect of your treatment. We also bring in outside experts when needed to explain your diagnosis, long-term prognosis, and why these injuries matter.

In severe injury cases, we often involve economists, life care planners, and vocational experts to help calculate the full financial cost of the accident—not just the immediate bills.

Elderly Pedestrian Victims Face Unique Insurance Challenges

When older adults are struck by vehicles, the physical consequences are often even more severe. Bones are more fragile, healing is slower, and even a moderate injury can lead to permanent loss of independence. Unfortunately, insurance companies often seize on age as a way to discount the value of these claims. They may argue that pre-existing conditions were to blame, that the victim's injuries were inevitable due to age, or that their life expectancy limits the amount of compensation owed.

This approach is not only misleading—it's legally and morally wrong. Our legal team works to prove how the crash caused a clear, measurable decline in the victim's health and quality of life. We consult medical experts, review prior health records, and show how the incident directly impacted the person's ability to function. Elderly pedestrians deserve full accountability when they are injured by negligent drivers, and we won't let insurers brush those injuries aside.

Pressuring Victims to Settle Quickly

After a pedestrian accident, you may be contacted by the insurance company within days—or even hours. They may offer a quick settlement and say it's "all they can do." But early offers are almost always far below what your case is worth, especially if you haven't finished medical treatment.

Once you sign a settlement release, you can't go back and ask for more money. No matter how much pain you're still in or how high your medical bills climb, the case is closed.

That's why we tell clients: Don't rush. Don't sign. Let our team review the offer and determine what full compensation looks like based on the facts of your case.

Using Delays and Denials to Wear You Down

Sometimes, the insurer doesn't outright deny your claim—they just make it harder than it should be. You may experience:

- Delayed approval of necessary medical treatment

- Repeated requests for the same paperwork
- “Lost” forms or claim files
- Confusing phone trees and hard-to-reach adjusters

This approach is designed to frustrate you and make you accept less. But when you have a lawyer handling your case, we deal with the insurance company directly and hold them accountable for unreasonable tactics.

What Happens When the Driver Is Uninsured or Flees the Scene?

Some of the most devastating pedestrian crashes in Georgia are caused by drivers who have no insurance—or who leave the scene entirely. In these cases, the legal path to compensation becomes more complicated. But that doesn’t mean injured pedestrians are out of options.

If the at-fault driver is uninsured or unidentified in a hit-and-run, your own uninsured motorist (UM) coverage may apply. Many people don’t realize their own auto policy can step in to cover medical bills, lost income, and pain and suffering in these scenarios. Still, even with your own insurance company, the same delay and denial tactics often apply. They may treat you like an adversary and fight to limit your recovery.

That’s why having an attorney is so important. We help our clients file uninsured motorist claims, identify all available sources of coverage, and build a strong, evidence-supported case from day one. Whether the driver is unknown, underinsured, or completely uninsured, we help injured pedestrians pursue every available option to recover the compensation they deserve.

How Our Georgia Pedestrian Accident Lawyers Push Back

At Gary Martin Hays & Associates, we’ve recovered **over \$1 billion** for injured Georgians. We know how insurance companies work—and we don’t let them take advantage of our clients. When we take your case, we:

- Investigate the crash scene and gather all available evidence
- Handle communications and negotiations with the insurance company
- Build a case backed by medical records, expert reports, and financial documentation
- Fight for every dollar of compensation you’re entitled to under Georgia law

Whether the driver was speeding through an intersection, failed to yield in a crosswalk, or fled the scene, our legal team is ready to hold them—and their insurance carrier—accountable.

Talk to a Pedestrian Accident Lawyer in Georgia Today

If you were hit by a car while walking, don’t try to handle the insurance company on your own. These cases are high-stakes, and the insurance company has a head start. Let us level the playing field.

[Contact the Law Offices of Gary Martin Hays & Associates today](#) for a free consultation. We'll explain your rights, answer your questions, and get to work on your claim right away. You don't pay unless we win.