

Legal Options After a Hit-and-Run Pedestrian Accident in Georgia

Injured Pedestrians Deserve Answers, Even When the Driver Flees

A pedestrian hit-and-run can leave more than physical wounds. It can leave a person reeling, alone, and unsure of what to do next. In Georgia, [these types of accidents](#) happen more often than many realize. The moments after a driver hits someone and flees the scene can define the rest of a victim's life. But just because the at-fault driver disappears doesn't mean victims are out of legal options.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), we help injured pedestrians hold drivers accountable even when those drivers try to escape responsibility. Whether the driver is identified or not, there are legal strategies to pursue compensation and move forward.

Why Hit-and-Run Pedestrian Accidents Are So Devastating

Pedestrians are among the most vulnerable individuals on the road. They have no protection against a moving vehicle. When a driver hits someone and flees, they not only break the law, but they also deny the injured victim critical help in those first few minutes when every second counts.

Common injuries in pedestrian hit-and-run cases include:

- **Traumatic Brain Injuries:** Concussions, hemorrhages, and long-term cognitive impairment
- **Spinal Cord Injuries:** Paralysis, loss of mobility, and chronic pain
- **Orthopedic Injuries:** Broken bones, dislocations, and joint damage
- **Internal Injuries:** Organ damage, internal bleeding, and collapsed lungs
- **Soft Tissue Injuries:** Torn ligaments, muscle damage, and nerve injuries

Some victims never fully recover. Others require years of rehabilitation. But everyone deserves answers and the opportunity to hold someone accountable.

What Does Georgia Law Say About Hit-and-Run Accidents?

Under [Georgia Code § 40-6-270](#), drivers involved in any crash that results in injury or death are legally required to stop, provide information, and render aid. Failing to do so is a criminal offense. If the accident causes serious injury or death, leaving the scene is a felony punishable by up to five years in prison.

Unfortunately, that doesn't stop some drivers from panicking and fleeing. Common reasons include:

- The driver is uninsured or underinsured
- The driver is intoxicated
- The driver is unlicensed or has a suspended license
- The vehicle is stolen
- The driver is trying to avoid arrest for another reason

Regardless of motive, fleeing the scene makes it harder—but not impossible—for victims to recover damages.

Can You Still Get Compensation if the Driver Is Never Found?

Yes. While locating the at-fault driver makes a personal injury claim more straightforward, there are legal options available even when the identity of the driver is unknown.

1. Uninsured Motorist (UM) Coverage

If you or someone in your household has an auto insurance policy that includes uninsured motorist coverage, you may be able to file a UM claim—even as a pedestrian. Georgia law allows UM coverage to apply in hit-and-run situations where the at-fault driver remains unidentified.

This coverage can help pay for:

- **Medical Expenses:** Emergency care, surgeries, medications, and rehab
- **Lost Wages:** Time away from work or reduced earning capacity
- **Pain and Suffering:** Physical pain, emotional distress, and trauma

You must prove that a hit-and-run occurred. That's why it's so important to contact the police and an experienced pedestrian accident lawyer as soon as possible.

2. “John Doe” Personal Injury Lawsuit

In some cases, you can file a personal injury claim against a “John Doe” defendant. This is a placeholder used when the driver's identity is unknown. The lawsuit can proceed as long as there's UM coverage in place. The insurance company essentially takes the place of the missing driver.

Even if the driver is never located, this strategy allows injured pedestrians to seek compensation for their losses.

3. Crime Victims Compensation Fund

In rare cases, if no insurance coverage is available and the driver cannot be found, victims may be eligible to apply for help through the [Georgia Crime Victims Compensation Program](#). While not a substitute for a civil lawsuit, this fund can provide limited financial assistance for medical care, counseling, or funeral expenses.

What If the At-Fault Driver Is Found Later?

If police later identify the hit-and-run driver, you may be able to pursue a traditional personal injury claim or wrongful death lawsuit against them. This can include both compensatory and punitive damages.

- **Compensatory Damages:** Cover medical bills, lost income, pain and suffering, and more.
- **Punitive Damages:** May be awarded to punish the driver for their reckless or intentional conduct.

In [hit-and-run cases](#), punitive damages are often appropriate—especially if the driver fled to avoid arrest or was intoxicated.

How a Lawyer Helps Hit-and-Run Victims in Georgia

These cases can be complicated. There's often no police report with full driver info. Surveillance footage may be unclear. Insurance companies may resist paying UM claims by blaming the victim. That's where having an experienced pedestrian accident lawyer can make a difference.

At Gary Martin Hays & Associates, we handle every part of the process:

- **Case Investigation:** We work to identify the hit-and-run driver, obtain video footage, interview witnesses, and preserve critical evidence.
- **UM Claim Strategy:** If the driver isn't found, we build a compelling case for maximum recovery through your own insurance.
- **Communication with Insurers:** We [deal with adjusters](#) and fight back when they try to delay, devalue, or deny your claim.
- **Civil Lawsuit Filing:** If necessary, we pursue a "John Doe" lawsuit or take action against the identified at-fault driver.

Our goal is to give you the strongest possible chance at full compensation, whether the driver is found or not.

Common Challenges in Georgia Hit-and-Run Cases

Some insurance companies try to avoid paying uninsured motorist claims by arguing:

- There's no proof a hit-and-run occurred
- There were no independent witnesses
- The pedestrian was partially or fully at fault
- The incident involved a phantom vehicle with no contact

That's why legal guidance is so important. We know how to gather evidence that strengthens your claim and challenges bad-faith insurance tactics.

What to Do After a Pedestrian Hit-and-Run Crash

If you've been hit by a car and the driver fled, here are the steps to take:

- **Call 911 Immediately:** Report the crash and request medical assistance. Request that the police file a report and initiate an investigation.
- **Document the Scene:** If you're able, take photos of the location, your injuries, and any debris or tire marks.
- **Look for Witnesses:** Get names and contact info for anyone who saw the crash or the fleeing vehicle.
- **Seek Medical Attention:** Even if you feel okay, see a doctor. Some injuries aren't immediately visible.
- **Notify Your Insurance Company:** Report the incident and ask about uninsured motorist coverage.
- **Contact an Attorney:** The sooner we can begin investigating and protecting your rights, the better.

Every detail matters. Evidence fades. Surveillance footage may be overwritten. Witnesses forget. Acting quickly is critical.

Real Accountability for Hit-and-Run Drivers

Pedestrian victims deserve justice, not silence. When a driver hits someone and disappears, they make an already traumatic experience even more painful. But with the right legal support, victims can still take control of the situation.

Our team at Gary Martin Hays & Associates has helped thousands of injury victims across Georgia recover compensation after devastating crashes. Whether we're tracking down the at-fault driver or fighting your insurance company in a "John Doe" claim, we know how to win tough cases—and we won't back down from a fight.

Call Us Today to Discuss Your Legal Options

A hit-and-run shouldn't leave you feeling powerless. If you or a loved one was injured in a pedestrian accident and the driver fled, we're here to help. [Contact us today](#) to schedule a free consultation. We'll explain your rights, review your options, and fight for the justice you deserve.