

Traumatic Brain Injuries From Pedestrian Accidents in Georgia

Why Pedestrians Face Grave Risk And What Victims Must Know

A single misstep, a moment of inattention by a driver, and life can change in an instant. For pedestrians in Georgia, one of the most feared outcomes of being struck by a vehicle is a [traumatic brain injury \(TBI\)](#). Because the human skull offers limited protection and the brain is highly vulnerable to sudden acceleration, deceleration, or impact, the forces imparted in a [pedestrian crash](#) can transform a walk down the sidewalk into a lifelong battle.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), we know how a TBI from a pedestrian accident can upend a person's life. Victims often face a scramble to get the right medical care, document their injuries, and protect their legal rights before crucial evidence disappears. If you or someone you love sustained a brain injury in a pedestrian crash, understanding the unique challenges of these cases is essential. Here's what you need to know.

The Scope of the Problem: Pedestrian Crashes and Brain Injuries in Georgia

Brain injuries are an especially serious outcome of pedestrian crashes. While exact Georgia-specific figures for TBIs in pedestrian crashes are rare, [national trauma data](#) show that road traffic injuries account for about 15% of hospitalizations for traumatic brain injury.

In Georgia, the trend of [rising pedestrian danger](#), combined with the vulnerability of the brain to even low-speed impacts, means pedestrian TBIs must be viewed as a major public health and legal concern.

What Is a Traumatic Brain Injury?

A traumatic brain injury is damage to the brain caused by an external mechanical force—such as a blow, jolt, or penetration—that disrupts normal brain function. TBIs can range in severity from [mild concussions](#) to catastrophic, life-altering injuries.

Types of TBIs include:

- **Mild TBI (Concussion):** May cause loss of consciousness for a short period, headaches, confusion, memory disturbances, and sensitivity to light or noise.
- **Moderate TBI:** More severe symptoms, longer unconsciousness, cognitive and motor impairments.
- **Severe TBI:** Extended unconsciousness, neurologic deficits, seizures, coma, or even vegetative states.

Unlike other injuries, brain damage can continue long after the impact, making early diagnosis and documentation critical.

Why Pedestrians Are Especially Vulnerable to Brain Injury

When a car strikes a pedestrian, the impact often involves multiple forces:

- **Primary Impact:** The head striking the hood, windshield, or ground.
- **Secondary Impact:** The brain hitting against the interior of the skull (coup-contrecoup injury).
- **Rotational Forces:** Twisting of the brain, which can shear nerve fibers and cause diffuse axonal injury, a particularly serious form of TBI.

Even collisions at moderate speeds are deadly, as studies suggest that a pedestrian struck by a vehicle traveling 40 mph has a high likelihood of fatal brain injury.

Because pedestrians lack any protective structure, their heads often bear the brunt of the impact, making TBIs one of the most common and devastating injuries in pedestrian crashes.

Common Symptoms and Challenges in Diagnosing TBI

One insidious aspect of brain injuries is how they can go undetected initially. Immediately after a crash, victims may appear alert, but the brain trauma may only emerge over hours or days.

Common symptoms to watch for include:

- Persistent headache
- Dizziness, vertigo, or balance problems
- Memory lapses or confusion
- Sensitivity to light or sound
- Mood swings, depression, or irritability
- Sleep disturbances
- Seizures
- Neurological deficits (slurred speech, weakness in limbs, cognitive deficits)

Because these symptoms overlap with other injuries or even shock, [insurance adjusters](#) and defense lawyers often try to dispute their connection to the crash. That's why a prompt and comprehensive medical evaluation is essential.

Building a Strong Legal Case for a Pedestrian Brain Injury in Georgia

Because brain injuries often have delayed symptoms and complex causation, these cases require a proactive investigative strategy and expert testimony. Below are key elements to develop:

1. Prompt Medical Documentation

Seek care at a Level I trauma center or hospital with neurology/neurosurgery capabilities. Imaging (CT, MRI), neuropsychological testing, and ongoing follow-up records create essential evidence.

2. Crash Reconstruction and Force Analysis

To link the impact to brain damage, modern cases frequently rely on biomechanical experts who model how forces translate into brain injury. These experts can show that the collision was capable of causing the type and severity of the TBI.

3. Expert Witnesses

You'll likely need neurologists, neuropsychologists, and rehabilitation specialists to explain your long-term prognosis, care needs, and life impact. Their testimony is often the linchpin in high-value brain injury claims.

4. Timeline of Symptoms and Treatment

Defendants will often argue that pre-existing conditions or intervening factors caused the symptoms. A clear, consistent medical timeline showing onset after the crash strengthens your claim.

5. Preserving Evidence

Crash scene photos, video surveillance, vehicle damage, pedestrian route, skid marks, and witness statements must be preserved early. The longer you wait, the more evidence disappears.

Liability and Georgia's Legal Landscape

Victims in Georgia can pursue compensation under personal injury law when negligence is proven. Key principles include:

- **Statute of Limitations:** You generally have two years to file a brain injury claim from the accident date, though exceptions may apply in delayed-discovery scenarios.
- **Modified Comparative Negligence:** If you are partially at fault, your compensation may be reduced by your percentage of fault so long as you are less than 50% responsible.
- **No Cap on Pain & Suffering:** Georgia does not impose a statutory cap on non-economic damages in most personal injury cases. However, awards must be reasonable and proportional to the injury.

Once liability is established, damages may include:

- Past and future medical expenses (acute, rehabilitation, long-term care)
- Lost wages and diminished earning capacity
- Pain, suffering, emotional distress
- Loss of quality of life
- Ongoing care, assistive devices, home modifications, attendant care (in catastrophic injury cases)

Because brain injuries often persist for life, claims must consider the full spectrum of costs, not just immediate medical bills.

Why Hiring a Pedestrian Accident Lawyer Matters

In pedestrian TBI cases, early mistakes can be fatal to your claim: providing statements to insurers, missing deadlines, or failing to preserve evidence can derail your case. At the Law Offices of Gary Martin Hays & Associates, P.C., our dedicated legal team brings:

- Experience handling catastrophic brain injury litigation
- Early engagement of brain injury, neurology, and biomechanical experts
- Aggressive preservation of evidence and data
- Strategic negotiation or trial advocacy to maximize compensation

What Victims Face When Recovering From a Traumatic Brain Injury

Even after legal resolution, survivors often continue a lifelong journey of recovery. That journey may include:

- Physical, occupational, and speech therapy
- Neurocognitive rehabilitation
- Counseling or psychiatric care
- Adaptive technologies or home modifications
- Employment retraining or vocational counseling
- Caregiver support and respite care

The legal claim must account not only for what has already been spent, but also for what will be required over a lifetime.

Recovering From a TBI Is a Long Road. You Don't Have to Walk It Alone.

Traumatic brain injuries don't just affect the body. They change lives, families, and futures. The road forward can be overwhelming, but you don't have to navigate it alone.

At the Law Offices of Gary Martin Hays & Associates, P.C., we're committed to helping TBI victims in Georgia fight for the justice, resources, and long-term care they need.

If you or someone you love sustained a brain injury in a Georgia pedestrian accident, [contact us today](#) for a free and confidential case evaluation. We'll listen, we'll fight, and we'll stand with you every step of the way.