

Can You Seek Punitive Damages After a Drunk Driving Accident in Georgia?

How Our Attorneys Hold Impaired Drivers Fully Accountable

[Drunk driving wrecks](#) aren't "accidents" — they're choices that destroy lives. When someone decides to drink, get behind the wheel, and put others in danger, the consequences can be devastating. Families are left to deal with life-changing injuries, financial strain, and grief that no amount of money can erase.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), we take these cases personally. As [Georgia's Billion Dollar Car Wreck Lawyer](#), Gary Martin Hays has spent decades fighting for victims of drunk drivers across Georgia. We believe in full accountability, not only recovering compensation for the injured, but pursuing punishment through punitive damages that send a clear message: this kind of recklessness won't be tolerated on our roads.

What Are Punitive Damages and How Do They Apply to Drunk Driving Cases?

Punitive damages aren't about paying medical bills or replacing lost wages. They're designed to punish the wrongdoer and deter others from making the same mistake. In Georgia, when a driver causes a crash while under the influence of alcohol or drugs, [the law allows victims to pursue punitive damages](#) in addition to compensatory ones.

These damages serve a dual purpose: they remind defendants (and the community) that driving drunk is one of the most dangerous acts imaginable. Juries often award significant punitive sums because they understand the difference between an honest mistake and a conscious disregard for human life. It's like the difference between spilling a cup of coffee on someone by accident and throwing it at someone on purpose. Intent and choice make all the difference.

How Do Our Attorneys Prove a Driver Was Impaired?

The first step in every drunk driving case is securing evidence before it disappears. Our attorneys and investigators move quickly to obtain every piece of documentation that proves impairment. This includes:

- **Police Reports:** These detail the officer's observations, field sobriety results, and witness statements.
- **Video and Audio Evidence:** We request dashcam and bodycam footage from responding officers. Watching a driver stumble or slur their words can be devastating evidence in court.
- **Blood Alcohol Test Results:** Lab reports confirm the driver's BAC at the time of the wreck.
- **Prior DUI History:** We check criminal records to determine if the defendant has previous DUI arrests or convictions.

In one example Gary often shares, a driver who claimed they “felt fine” was caught on video failing multiple sobriety tests and nearly falling over. When that footage played in court, the jury didn’t need further convincing.

Who Can Be Held Liable After a Drunk Driving Accident?

Most people assume the drunk driver alone is responsible, but liability can extend further. Depending on how the driver obtained or consumed alcohol, other parties may share blame under [Georgia’s dram shop laws](#).

We investigate every possible source of liability, including:

- **The Drunk Driver:** The primary at-fault party who chose to drive impaired.
- **The Driver’s Insurance Company:** Responsible for covering compensatory damages.
- **Bars, Restaurants, or Clubs:** If they served alcohol to someone visibly intoxicated or underage.
- **Social Hosts:** In certain cases, adults who provided alcohol to minors may also face civil liability.

For example, if a 20-year-old driver was drinking at a sports bar before causing a wreck, that establishment could face legal action for serving an underage or clearly impaired patron. Holding these entities accountable helps prevent future tragedies and reinforces that serving alcohol comes with responsibility.

What Compensation Can Victims Recover in a Drunk Driving Case?

When our clients are injured by drunk drivers, we pursue both compensatory damages (for losses) and punitive damages (for punishment).

Compensatory damages cover measurable costs such as:

- Medical expenses and rehabilitation
- Prescription medications and therapy
- Lost wages or reduced earning capacity
- Pain, suffering, and emotional distress

Punitive damages, on the other hand, focus on sending a message. Georgia law doesn’t cap punitive damages in cases where the at-fault driver was under the influence of alcohol or drugs. That means juries can award any amount they believe is appropriate to punish the conduct and deter others from repeating it.

When jurors see evidence of extreme recklessness — like someone blowing twice the legal limit and causing catastrophic injuries — their verdict often reflects their outrage.

What Makes Punitive Damage Claims Different From Criminal Charges?

It's easy to confuse civil and criminal punishment, but they serve distinct purposes. The district attorney or solicitor handles the criminal side, prosecuting the drunk driver for DUI. That process may lead to fines, license suspension, or jail time.

Our firm focuses on the civil side, where we fight for the victim's financial recovery and pursue punitive damages through a [personal injury lawsuit](#). These damages operate independently from criminal penalties. Even if the drunk driver avoids jail, we can still hold them accountable in civil court for the full measure of harm they caused.

Think of it this way: criminal court seeks justice for society, while civil court seeks justice for you.

How Fast Does Evidence Disappear After a DUI Crash?

Timing is critical in these cases. Video footage, police recordings, and test results can be lost or deleted if not requested quickly. Witness memories fade. Surveillance systems overwrite data within days.

That's why Gary often reminds clients: the longer you wait, the harder it becomes to prove what really happened. Acting fast allows our attorneys to preserve dashcam videos, subpoena 911 recordings, and secure toxicology results before they vanish. Every piece of evidence strengthens the foundation of your case.

What Role Do Juries Play in Drunk Driving Lawsuits?

Juries are often the moral compass in drunk driving cases. When they see the evidence (e.g., the breathalyzer results, the videos, the crash photos), their verdicts reflect community outrage. Punitive awards in these cases aren't about sympathy; they're about principle.

Georgia jurors take impaired driving seriously because they know the ripple effect it creates: families torn apart, children left without parents, survivors living with lifelong injuries. When we stand before a jury, we give them the full story; not just the facts of the wreck, but the choices that led to it.

Can a Drunk Driver's Employer Also Be Liable?

If the at-fault driver was operating a company vehicle or driving within the scope of employment, their employer may share liability under respondeat superior (vicarious liability). For example, if a delivery driver or [rideshare operator](#) consumed alcohol before their shift, both the individual and their company could face civil penalties.

Our attorneys carefully analyze employment records, company policies, and vehicle use logs to determine whether corporate negligence played a role. In some cases, we uncover that employers ignored warning signs or failed to enforce safety standards, turning a single act of recklessness into a preventable tragedy.

Why Pursuing Punitive Damages Matters for Georgia Families

Some clients hesitate to pursue punitive damages, thinking it's only about money. But these cases serve a higher purpose. Every verdict that punishes a drunk driver helps deter the next one. Every settlement that exposes a negligent bar helps prevent another underage tragedy.

As Gary says, "We go after two things — compensation and punishment." Compensation helps our clients rebuild. Punishment forces those responsible to face the consequences of their decisions. Together, they help create safer roads for all Georgians.

What Should You Do If You're Hit by a Drunk Driver in Georgia?

The moments after a drunk driving crash can be disorienting. Your first priority should always be your safety and health, but protecting your legal rights matters too.

Here's what to do immediately:

1. **Call 911:** Report the crash and request medical assistance.
2. **Document Everything:** Take photos, gather witness contacts, and note erratic behavior by the other driver.
3. **Cooperate with Police:** Provide accurate information but avoid speculation.
4. **Get Medical Care:** Even if you feel fine, alcohol-related crashes often involve high-force impacts.
5. **Contact Our Firm Quickly:** Evidence like dashcam footage or blood test records can disappear within days.

We make it easy to take that first step. Our team can explain your rights, preserve crucial evidence, and start building your case immediately.

Contact Gary Martin Hays & Associates About a Drunk Driving Accident

If you or someone you love was injured by a drunk driver, don't wait. The evidence that proves your case may already be fading. Our firm has the resources, experience, and determination to hold impaired drivers fully accountable, both for what they did and for what they took away.

As Georgia's Power Law Firm, we've helped countless families recover after devastating drunk driving crashes, and we'll fight for you with the same commitment. Give us a call or [contact us online today](#) to schedule your free consultation and learn how we can pursue both compensation and justice on your behalf.