

## What Happens If You're Hit by a Driver Who Lost Control?

### How Georgia Law Handles Accidents Caused by Spinning, Sliding, or Hydroplaning Drivers

You're driving down I-85 on a rainy afternoon when the car ahead suddenly fishtails, spins sideways, and crashes into you. There's no time to react. One moment you're following traffic, and the next, you're part of a chain of twisted metal and flashing lights.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), we've seen these crashes countless times. A driver "loses control," and innocent people pay the price. Whether the cause is [speeding](#), hydroplaning, [distracted driving](#), or panic behind the wheel, Georgia law doesn't treat these wrecks as unavoidable accidents. Losing control doesn't erase responsibility, and our [Atlanta car accident lawyers](#) know how to prove it.

### What Does "Losing Control" Actually Mean in a Car Accident?

When drivers say they "lost control," it usually means their actions triggered a loss of traction, stability, or awareness. That could involve hydroplaning on wet pavement, overcorrecting after drifting off-road, or slamming the brakes too hard on a curve.

But the truth is, most "out-of-control" crashes start with preventable choices: driving too fast for conditions, ignoring worn tires, or glancing at a phone instead of the road. In other words, these are not freak accidents — they're predictable outcomes of careless behavior. As the police often put it, "Cars don't lose control; drivers do."

### Can a Driver Who Lost Control Still Be Liable for the Crash?

Yes. Georgia law holds every motorist to the standard of reasonable care under the circumstances. That means drivers must adjust their speed, following distance, and attention level to the road and weather conditions. If they fail to do so, they're negligent — even if they didn't intend to cause harm.

Our attorneys have handled countless cases where a driver blamed "bad weather" or "sudden slick spots." Yet the evidence told a different story: bald tires, aggressive lane changes, or phones lighting up on the dashboard seconds before impact. Losing control isn't a legal defense; it's often the proof of negligence itself.

### What Causes Most Loss-of-Control Crashes in Georgia?

Every crash tells its own story, but our investigations have uncovered a few repeat patterns:

- **Speeding in Rain or Fog:** Driving too fast for conditions remains one of the top causes of hydroplaning and spin-outs.

- **Distracted Driving:** Taking your eyes off the road for even two seconds at 65 mph means traveling the length of a basketball court blind.
- **Bald or Underinflated Tires:** Worn tread drastically reduces traction, especially on slick roads.
- **Improper Braking or Steering:** Jerking the wheel or slamming the brakes on a curve can send a vehicle into a skid.
- **Mechanical Neglect:** Brake or suspension failures tied to poor maintenance can cause sudden loss of control.

When we investigate these crashes, we often find that what looked like “bad luck” was really bad preparation, and that’s a story juries understand.

### **Does Weather Excuse a Driver Who Skids or Hydroplanes?**

No. While heavy rain, fog, or black ice can make roads dangerous, they don’t absolve drivers of responsibility. In fact, they raise the standard of care. [Georgia’s traffic laws](#) require motorists to drive at a speed appropriate for conditions, not just below the posted limit.

If a driver hydroplanes because they were going too fast or failed to maintain safe tires, they’re still at fault. Think of it like walking around your kitchen with a cup of coffee: if you know the floor is wet, you slow down and use extra caution not to spill it. The same principle applies on the road. Weather may be a factor, but choice determines liability.

### **Can Multiple Drivers Share Fault in a Loss-of-Control Crash?**

Absolutely. Many of these wrecks involve a chain reaction: one car loses control, another swerves to avoid it, and a third crashes into the mess. Georgia’s modified comparative negligence law allows more than one party to share fault.

For instance, if the first driver hydroplanes while texting and a second driver [rear-ends them](#) because they were tailgating, both may share responsibility. Our job is to pinpoint who contributed what percentage of fault so that our clients recover every dollar they deserve.

### **What Injuries Commonly Result From These Crashes?**

Loss-of-control collisions tend to happen at high speeds, magnifying impact forces and injury severity. Victims often suffer:

- **[Whiplash and Neck Injuries:](#)** Sudden jerking motion when vehicles spin or stop abruptly.
- **[Back and Spinal Injuries:](#)** Compression or twisting forces that damage vertebrae and discs.
- **[Head and Brain Injuries:](#)** From airbag impact or secondary collisions within the cabin.
- **Broken Bones and Lacerations:** Especially in side-impact or rollover situations.
- **Psychological Trauma:** Fear of driving or recurring flashbacks are common after chaotic crashes.

We've represented clients who walked away from the first impact only to collapse hours later when the adrenaline faded. The human body doesn't always reveal the full toll immediately, which is why prompt medical care is critical.

### **How Do Our Attorneys Prove Negligence in Loss-of-Control Cases?**

Building these cases requires a blend of science, strategy, and storytelling. We dig into every piece of evidence to show what really caused the crash. That can include:

- **Crash Data Recorders (Black Boxes):** Reveal speed, steering, and braking inputs before impact.
- **Tire and Brake Inspections:** Expose neglected maintenance or mechanical failure.
- **Weather and Road Reports:** Help establish that conditions required extra caution.
- **Witness Statements and Video Footage:** Confirm whether the driver appeared distracted or erratic.

Once the evidence is assembled, we connect the dots for the jury. It's like replaying the crash in slow motion, showing exactly when control was lost and how it could've been prevented.

### **What If the At-Fault Driver Claims a "Sudden Emergency"?**

Some drivers argue that they lost control because of an unexpected event such as a tire blowout, animal crossing, or debris on the road. Georgia law recognizes a "[sudden emergency](#)" defense, but it only applies if the driver didn't create or contribute to the emergency.

For example, if someone's speeding on wet pavement and claims they hydroplaned to avoid debris, the argument rarely holds up. They were already violating their duty of care by driving too fast for the conditions. Our attorneys know how to dismantle these excuses with hard evidence and expert testimony.

### **How Does Insurance Handle These Claims?**

Insurance companies often try to label loss-of-control crashes as "unavoidable" to avoid paying full compensation to crash victims. They may offer quick settlements before you know the extent of your injuries or claim the weather was solely to blame.

Our firm flips that narrative. We analyze policy language, gather physical and digital evidence, and make sure the insurer can't hide behind generic excuses. We've spent decades on both sides of these negotiations, and we know every trick they use because we used to see the playbook firsthand.

### **What Should You Do After Being Hit by a Driver Who Lost Control?**

The moments after a crash are chaotic, but the steps you take can protect both your health and your case:

1. **Call 911 Right Away:** Ensure law enforcement documents the scene and the other driver's condition.
2. **Get to Safety:** Move your vehicle out of traffic if possible and use hazard lights.
3. **Seek Medical Care:** Some injuries don't appear until hours later.
4. **Gather Evidence:** [Take photos](#) of skid marks, road conditions, and vehicle damage.
5. **Avoid Giving Recorded Statements:** Insurance adjusters may twist your words.
6. **Contact a Lawyer Quickly:** The sooner we begin, the easier it is to preserve crucial evidence.

### **Can You Recover Damages Even If the Crash Was Weather-Related?**

Weather may contribute to a crash, but it doesn't eliminate negligence. After all, you can't sue Mother Nature. Georgia law allows recovery if another driver failed to take reasonable precautions given the conditions. That means you can pursue compensation even if rain, fog, or ice played a role, as long as the other driver could've acted differently to avoid the wreck.

Our attorneys calculate every form of damage you're entitled to, including medical expenses, lost income, property repairs, and pain and suffering. We also work with accident reconstructionists to counter claims that "nothing could've been done." In nearly every case, something could have.

### **Why These Cases Require an Experienced Georgia Car Accident Lawyer**

Loss-of-control crashes blur the line between accident and negligence. Proving fault takes a firm that understands both the physics of driving and the psychology of juries. At Gary Martin Hays & Associates, we combine deep technical knowledge with real-world storytelling to help Georgia families recover what they've lost.

We've represented drivers, passengers, and families across the state in cases where an "unavoidable accident" turned out to be anything but. When someone's recklessness leaves you injured, our team steps in to demand accountability — and results.

### **Contact Gary Martin Hays & Associates After a Loss-of-Control Crash**

If you've been injured because another driver lost control, don't let the insurance company call it an accident and move on. These cases require fast action and strong evidence. Give us a call or [contact us online today](#) for a free consultation. Our team will investigate what really happened, protect your rights, and fight for the compensation you deserve.

As Georgia's Power Law Firm, we've recovered [over \\$1 billion](#) for Georgia families, and we're ready to help you too.