

Sun Glare And Visibility Problems In Georgia Car Accident Fault Disputes

When Blinding Light Turns A Routine Drive Into A Liability Fight

The crash itself is often over in seconds. But what comes next can sometimes drag on for months, especially when the at-fault driver says they “couldn’t see” because the sun was in their eyes. Unfortunately, sun glare doesn’t leave skid marks. It doesn’t show up on a police diagram. But it does get used all the time to muddy fault in [Georgia car accident claims](#).

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our Atlanta car accident lawyers see this tactic constantly. A driver claims the sun was in their eyes. Visibility was bad. Conditions weren’t ideal. And suddenly, a clear-cut wreck turns into a finger-pointing exercise designed to reduce payouts or avoid responsibility altogether.

Sun glare isn’t an excuse under Georgia law, but insurers treat it like one anyway. That gap between the law and how claims actually get handled is where cases are won or quietly lost.

Sun Glare As A Fault Defense In Georgia Car Wrecks

Georgia drivers are expected to adjust to conditions, not blame them. Bright light, low-angle sun, and temporary blindness are foreseeable risks, especially during morning and evening commutes.

Yet in disputed fault cases, sun glare gets framed as an unavoidable act of nature rather than a condition the driver should’ve responded to.

In Georgia, sun glare is considered a "foreseeable" condition. Unlike a sudden sinkhole or a wild animal darting into the road, the sun rises and sets at mathematically predictable times.

Using tools like the National Oceanic and Atmospheric Administration (NOAA) Solar Calculator, we can determine the exact azimuth and elevation of the sun at the moment of your crash. If the sun was at a known 10-degree angle on a clear day, the other driver cannot claim it was an "unavoidable surprise."

Common scenarios where glare gets weaponized include left-turn crashes, [rear-end collisions](#), [pedestrian strikes](#), and [intersection wrecks](#). The argument is always the same: visibility was compromised, so fault should be shared or excused.

That framing doesn’t hold up when the evidence is handled correctly since fault doesn’t just disappear when conditions are inconvenient. It shifts only when conduct changes, and that distinction matters.

Visibility Problems Don’t Cancel The Duty To Drive Safely

Georgia negligence law doesn't carve out exceptions for bright sunlight. Drivers still owe a duty to maintain control, keep a proper lookout, and slow down when they can't see clearly.

Visibility problems actually increase a driver's responsibility, not reduce it.

Here's how that plays out in real-world crash analysis:

- A driver who continues at full speed while blinded by sun glare may be driving unreasonably under the circumstances.
- A driver who turns left across traffic without a clear view is still making a voluntary decision.
- A driver who rear-ends another vehicle while "temporarily blinded" didn't leave enough stopping distance.

The law looks at choices, not excuses. When glare is present, insurers try to make it the headline. The real story is whether the driver adjusted at all.

Evidence That Cuts Through The Sun Glare Argument

Sun glare claims fall apart when timelines, scene details, and physical evidence get lined up properly. That's why early investigation matters so much in these cases.

Here are the core proof points we focus on when glare is used to dispute fault:

- **Crash Timing And Sun Angle:** The exact time of day matters. Sun position data can show whether glare was likely, exaggerated, or flat-out impossible based on direction of travel.
- **Vehicle Speed And Braking:** Skid marks, vehicle data, and damage patterns often show no attempt to slow or stop, which undercuts the "I couldn't see" narrative.
- **Roadway Familiarity:** A driver who travels the same route daily can't credibly claim surprise conditions.
- **Traffic Control Devices:** Stop signs, signals, and lane markings don't disappear because the sun is bright.
- **Witness And Camera Evidence:** [Dashcams](#), traffic cameras, and [third-party witnesses](#) often contradict post-crash excuses.

Once these elements are assembled, the case stops being about light conditions and starts being about judgment. And that's where liability firms up.

Why Sun Glare Disputes Drag Claims Out Longer

Visibility-based defenses don't just complicate fault. They slow everything down. Insurers lean into glare arguments because they introduce uncertainty. Uncertainty pressures injured people to settle for less, especially when medical bills keep stacking up.

These disputes tend to linger longer because adjusters claim they need “more investigation,” even when liability should be clear. Meanwhile, evidence fades, memories soften, and the injured person absorbs the financial stress.

Delay is rarely accidental. The longer a case drags, the more leverage insurers think they gain.

Shared Fault Arguments And Georgia’s Modified Negligence Rule

[Georgia’s modified comparative negligence system](#) gives insurers another angle. If they can pin 50 percent or more fault on the injured driver, recovery disappears entirely. Sun glare becomes a convenient hook to suggest shared responsibility, even when the injured person did nothing wrong.

Common attempts include claims that the injured driver should’ve anticipated glare, stopped sooner, or avoided the area altogether. These arguments sound reasonable until they’re tested against the facts. Shared fault isn’t automatic. It has to be proven. And proof requires more than a vague reference to sunlight.

Why Early Legal Pressure Changes The Trajectory

Sun glare cases don’t resolve themselves. They require pressure, documentation, and a willingness to challenge assumptions before they harden into “accepted facts.”

When legal involvement starts early, evidence gets preserved before it disappears. Statements get locked in before stories evolve. And insurers learn quickly that excuses won’t go untested.

That shift alone changes settlement posture.

Once the narrative moves from “nobody could see” to “this driver chose not to slow down,” leverage swings back where it belongs.

Frequently Asked Questions: Sun Glare & Georgia Liability

Does the "Sudden Emergency Doctrine" apply to sun glare in Georgia?

Rarely. The "Sudden Emergency Doctrine" is meant for truly unexpected events, like a tire blowout or a falling tree limb. Because sun glare is a daily occurrence that drivers should anticipate during "Golden Hour" (sunrise and sunset), Georgia courts generally do not treat it as a legal excuse for failing to maintain a safe lookout.

Can I be held partially at fault if the sun was also in my eyes?

The insurance company will likely try to argue this to reduce your settlement. However, if you were established in your lane and the other driver turned into your path or rear-ended you, the "burden of care" remains on them. Being blinded by the sun doesn’t give a driver the right to guess where other cars are.

How do you prove a driver was "driving too fast for conditions" during a glare event?

We look at the "Reasonable Person Standard." A reasonable person who is blinded by light would immediately take their foot off the gas and hover over the brake. If the vehicle's "Black Box" (EDR) shows that the at-fault driver never slowed down or actually accelerated into the glare, it proves they were negligent regardless of the lighting.

What if the sun glare was made worse by a dirty windshield?

Maintenance is part of a driver's duty. If a driver's windshield was covered in road salt, pollen, or interior "haze," the glare is magnified significantly. We often use scene photos or vehicle inspections to show that the driver's failure to maintain their vehicle contributed to their inability to see.

Can the time of day on the police report be used to disprove a glare claim?

Absolutely. We often see drivers claim "sun glare" for accidents that happened at noon or 2 p.m. when the sun was high overhead and not at an angle that would cause blinding glare. By syncing the police report timestamp with astronomical data, we can often prove the "glare" was a post-crash fabrication.

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Visibility problems are part of driving. They aren't a free pass. Sun glare doesn't absolve negligence, and it doesn't erase accountability when someone gets hurt. But left unchallenged, it can quietly reshape a case in ways that hurt the injured person long-term. That's why these cases require intention from the start.

If you or someone you love was injured in a Georgia car accident where sun glare or visibility issues are being used to dispute fault, [contact us today](#) for a free consultation. Our firm has recovered **over \$1 billion** for Georgia families, and we know how to break through insurance defenses designed to shift blame and reduce payouts.