

# What Happens If A Parked Car Causes A Georgia Accident?

## Parked Vehicle Liability After A Georgia Wreck With Injuries

A parked car can seem harmless right up until it isn't. You round a curve, turn onto a dark street, or try to avoid a car door opening into traffic, and suddenly your life is divided into before and after. Then the questions start piling up. The car wasn't moving. Nobody "hit" you in the usual way. So, does anyone besides you still bear responsibility for the [accident](#)?

In Georgia, the answer can be yes.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our Atlanta car accident lawyers know parked-car crashes are often dismissed too quickly. A vehicle left in the wrong place, left without lights, left jutting into traffic, or opened carelessly into a lane can create a very real hazard. Georgia law regulates where drivers may stop or park, and it also prohibits opening a vehicle door into moving traffic unless it's reasonably safe to do so.

That means a parked car case isn't just about the final point of impact. It's about whether someone created a danger they had no right to create.

### A Parked Vehicle Can Still Set A Crash In Motion

People tend to think liability begins with movement. In reality, it often begins with position. If a vehicle is left where drivers, [cyclists](#), or [pedestrians](#) can't avoid it safely, the fact that it was stationary doesn't make it legally invisible.

Georgia law ([O.C.G.A. § 40-6-202](#)) says that outside a business or residential district, a person generally may not stop, park, or leave a vehicle standing on the roadway when it is practicable to leave it off the roadway, and even then there must be enough unobstructed width for free passage and a clear view of the stopped vehicle from 200 feet in each direction. Georgia also allows officers to remove unattended vehicles illegally left standing on a highway.

That framework matters because it shows the law already recognizes a parked vehicle can become a traffic hazard all by itself.

### The Most Common Ways A Parked Car Creates Liability

A parked-car case usually becomes stronger when the facts show the vehicle was not simply present, but unreasonably dangerous in context.

Here are the situations that show up most often in Georgia claims:

- **Illegal Parking On The Roadway:** A car left in a travel lane, on a narrow shoulder, near a blind hill, or where sight distance is poor can create a trap for approaching drivers. Georgia's roadway parking rule is built around exactly that concern.
- **Dooring Collisions:** Georgia law expressly says no one shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe and can be done without interfering with traffic, and no one may leave that door open longer than necessary to load or unload passengers.
- **Unlit Or Poorly Marked Disabled Vehicles:** A disabled vehicle may create a dangerous surprise at night or in bad weather, especially if it is partially in the lane and difficult to see in time.
- **Rolling Or Unsecured Vehicles:** A car left without proper securement can move downhill, roll from a driveway, or drift into a roadway and trigger a crash without a driver behind the wheel.

For example, if someone parks halfway into the travel lane near a curve because they “just ran in for a minute,” the law doesn't have to treat that like a harmless choice. The parked car may have created the whole emergency.

### **The Driver Of The Moving Car May Still Face Comparative Fault Arguments**

A valid claim against the owner or driver of the parked vehicle doesn't mean the moving driver's conduct disappears from the case. Georgia follows a [comparative fault system](#) that allows fault to be apportioned among parties and even nonparties, and recovery can be reduced or barred depending on the injured person's share of responsibility.

That's why these cases are rarely as simple as “the parked car caused it.” The defense may still argue speeding, distraction, poor lookout, or failure to avoid the obstruction.

But that doesn't end the analysis. It just means the case has to be built carefully around both the hazard and the response to it. And that's usually where the real fight begins.

### **Dooring Cases Are Their Own Liability Problem**

Not every parked-car accident involves striking a stationary vehicle. Sometimes the danger arrives in one sudden motion when a driver or passenger opens a door directly into traffic.

Georgia's dooring statute ([O.C.G.A. § 40-6-243](#)) is unusually helpful because it directly addresses this exact conduct. A person may not open a door into moving traffic unless it is reasonably safe to do so and without interfering with traffic, and may not leave it open longer than necessary to load or unload.

That means cyclists, [motorcyclists](#), and even drivers swerving to avoid a suddenly opened door may have a clear liability framework to work from. The key question becomes whether the person opening the door checked traffic and used reasonable care before turning a parked vehicle into an active hazard.

A parked car can become part of traffic in an instant.

### **The Evidence Usually Comes From The Edges Of The Scene**

Parked-car cases are often won with details that seem small in the moment but become powerful later. Position matters. Lighting matters. Angles matter. Timing matters.

The records and proof that often make the difference include:

- **Scene Photos And Measurements:** Photos showing where the parked car sat in relation to the lane, curb, shoulder, hill, or curve can be critical. Measurements help show whether another driver had room to react at all.
- **Lighting And Visibility Evidence:** Headlight conditions, street lighting, hazard flashers, weather, and reflective surfaces can all change how visible the vehicle was.
- **Witness Accounts:** Neutral [witnesses](#) often help establish whether the parked car was sticking out, whether a door opened suddenly, or whether the area was too narrow to pass safely.
- **Vehicle Damage Patterns:** The contact point can support the theory that a car was protruding into traffic or that a door opened into the path of travel.
- **Nearby Camera Footage:** Security cameras, traffic cameras, and dashcams often capture the most important seconds before impact.

If the wrong version of the scene settles in early, the case can get smaller than it should be.

### **Even Older Georgia Cases Show That Parked Vehicles Can Be Jury Questions**

Georgia courts have long recognized that questions involving parked vehicles, negligence, and proximate cause are often for the jury rather than something to dismiss automatically. Cases involving vehicles parked in emergency lanes or hazardous positions have turned on whether the placement created a foreseeable risk and whether the later collision was a consequence the law should recognize.

That's important because insurance companies often want to frame these crashes as obvious no-claim situations. The actual legal question is usually more fact-driven than that. And fact-driven cases are exactly the ones that need real investigation.

### **FAQs About Parked Car Accident Claims In Georgia**

### **Can I still file a claim if the other car was parked and not moving?**

Yes. A parked vehicle can still create liability if it was stopped or left in a dangerous place, if a door was opened unsafely into traffic, or if some other negligent act involving that vehicle set the crash in motion.

### **Does Georgia law say where a driver cannot leave a parked car?**

Yes. [Georgia law](#) restricts stopping, standing, or parking on the roadway in many situations, especially outside business or residential districts where it is practicable to move the vehicle off the roadway. The statute also requires enough unobstructed width for traffic and a clear 200-foot view in each direction.

### **What if I crashed while avoiding a parked car rather than hitting it directly?**

You may still have a claim. A driver doesn't always need direct contact with the parked vehicle if that vehicle's dangerous position forced an evasive maneuver that caused the crash.

### **Can the owner of a parked car be responsible for a dooring crash?**

Yes, potentially. Georgia specifically prohibits opening a vehicle door into moving traffic unless it is reasonably safe and without interfering with traffic.

### **Will the insurance company try to blame me anyway?**

Usually, yes. Georgia comparative fault law allows the defense to argue that the moving driver also shares responsibility, so these cases often come down to evidence about positioning, visibility, and reaction time.

### **A Stationary Car Can Still Create A Moving Problem**

A parked car doesn't get a free pass just because its engine was off. If someone left a vehicle where it created a dangerous obstruction, opened a door into traffic, or set up a situation that made a crash unavoidable, the case may be much stronger than it looks at first glance.

If you were hurt in a Georgia crash involving a parked vehicle, [contact the Law Offices of Gary Martin Hays & Associates, P.C.](#) for a free consultation. We can sort through the scene, the roadway, and the surrounding facts to figure out whether that parked car was more than background. In the right case, it may be a big part of why the wreck happened at all.