

How Does Speeding Affect Your Compensation After a Georgia Car Accident?

Georgia Speed Laws, Liability, and What a Reckless Driver Owes You

[Speeding](#) is a factor in roughly one-third of all traffic fatalities in the United States each year, and Georgia is no exception. According to the [National Highway Traffic Safety Administration](#), in 2024 alone, speeding contributed to more than 11,000 deaths nationwide.

On Georgia's interstates and surface roads, speed-related crashes produce some of the most severe injuries our team sees, not because the collision itself was unusual, but because every mile per hour above the speed limit adds energy to the impact that the human body then has to absorb.

When another driver's decision to exceed the speed limit contributes to a collision that injures you, that decision carries legal weight. It affects how fault is assigned, how damages are calculated, and how a jury or insurer evaluates the claim. Understanding how speed evidence works in a Georgia personal injury case helps you understand what your case is actually worth and why it matters to build the record quickly.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our [Georgia car accident lawyers](#) have built speeding cases from the ground up, using traffic camera footage, event data recorder downloads, accident reconstruction, and witness testimony to establish exactly how fast a driver was going and how that speed changed the outcome.

Georgia Speed Laws and What Violating Them Means in a Civil Case

Georgia's basic maximum speed limits are set by [O.C.G.A. § 40-6-181](#), which establishes specific limits for different road types: 70 mph on most interstate highways, 65 mph on certain divided highways, 30 mph in urban residential districts, and 55 mph on other roads where no other limit is posted. Local authorities also have the power to set lower limits in school zones, work zones, and other designated areas.

A driver who exceeds a posted speed limit is committing a traffic violation, and that violation is relevant in a civil case even if no citation was issued. Georgia follows the negligence per se doctrine, which means that when a defendant violated a statute designed to protect others from harm and that violation caused the injury, the plaintiff doesn't have to prove the defendant acted unreasonably.

The statutory violation itself establishes the breach of the duty of care.

What this means practically is that a certified copy of the police report showing a speeding citation, a reconstruction expert's opinion about the vehicle's speed at impact, or data from the vehicle's own [event data recorder](#) can establish negligence on the part of the at-fault driver in a way that's difficult for a defense insurer to challenge.

Speed Evidence and How It's Captured

For instance, a driver on I-285 near the I-20 interchange exits the interstate at 72 mph in a 55-mph zone, attempts to brake at the last second when traffic backs up near the exit ramp, and rear-ends a sedan stopped at a light. The sedan driver sustains a herniated disc and a concussion. The at-fault driver's insurer argues the speed difference was modest and the victim's injuries are exaggerated.

Our response to that argument starts with the event data recorder, the black box equivalent for passenger cars that records pre-crash speed, brake application, throttle position, and seatbelt status in the seconds before impact. When the EDR shows 72 mph and the posted limit was 55, the insurer's "modest speed difference" argument collapses.

The types of speed evidence that matter in Georgia car accident cases include:

- **Event Data Recorders (EDRs):** Most vehicles manufactured after 2014 contain EDRs that record vehicle dynamics in the seconds before a crash. Defense counsel requests this data routinely, and so should plaintiffs' attorneys, because it often reveals pre-impact speed more accurately than witness estimates.
- **Traffic And Surveillance Camera Footage:** Georgia's interstates and major intersections are increasingly covered by traffic cameras. [Dashcam footage](#) from your own vehicle or from other vehicles near the crash can capture the at-fault driver's speed and behavior in the seconds before impact.
- **Skid Mark Analysis:** Accident reconstruction experts can calculate approximate pre-brake speed from skid mark length, road conditions, and the vehicle's known deceleration profile. This analysis is most useful when EDR data isn't available.
- **Witness Testimony:** Eyewitnesses who observed the at-fault vehicle before the crash can provide qualitative speed evidence that, while less precise than EDR data, still carries weight in front of a jury.
- **Speed Limit Signs And Road Geometry:** Documents establishing exactly what speed limit applied at the crash location, and whether sight lines or road conditions made the posted limit particularly important, form part of the liability record.

How Speed Affects the Damages Calculation

Speed doesn't just determine fault. It directly affects the severity of injuries and therefore the value of the claim. At 30 mph, a rear-end collision may produce whiplash and minor soft tissue strain. At 55 mph in the same scenario, the collision forces are dramatically higher, and [spinal cord injuries](#), [traumatic brain injuries](#), fractures, and internal organ damage become genuinely possible outcomes.

An at-fault driver who was speeding created conditions that made your injuries more severe than they would have been otherwise. That is relevant to the calculation of pain and suffering, lost earning capacity, and future medical costs. Presenting the physics of the crash, through reconstruction and biomechanical testimony, shows the jury or adjuster exactly why your injuries are as serious as they are.

Georgia's post-SB 68 environment has changed how medical damages are presented in court. Under the [phantom damages reform](#), jurors now see both the billed medical amounts and the amounts actually paid, and they're asked to decide what's reasonable compensation. This makes it more important than ever to build a complete record showing the full extent of your treatment, the necessity of every procedure, and the long-term care your injuries require.

When the at-fault driver was speeding, there's also a separate argument for [punitive damages](#). Georgia allows punitive damages in cases involving conscious indifference to the consequences of one's actions. Excessive speeding, particularly in heavy traffic or adverse weather conditions, can reach that threshold, though the standard is high and punitive damages aren't appropriate in every speeding case.

Comparative Fault Arguments in Speeding Cases

Multi-vehicle crashes rarely involve a single at-fault driver. Insurers know this and use it. Georgia's [comparative negligence](#) rules mean that your compensation can be reduced by any percentage of fault attributed to you, and you're barred from recovery entirely if you're found 50 percent or more at fault.

In speeding cases, the adverse insurer will often argue that you failed to see the approaching vehicle, that you made a lane change that contributed to the crash, or that your own speed was a factor. These arguments must be anticipated and countered with the same quality of evidence you're using to establish the other driver's fault.

Our firm's recoveries for Georgia's injured have topped [\\$1 billion](#) over more than three decades, a track record built partly on knowing how to present speed evidence in a way that dismantles the defense's first argument. We use accident reconstruction experts, EDR specialists, and biomechanical testimony to show the jury the crash as it actually happened, not as the insurer's narrative frames it.

Evidence That Proves A Driver Was Over The Limit When The Crash Happened

The speed evidence in your case has a short shelf life. Traffic camera footage is typically overwritten on a cycle of days to weeks. EDR data can be lost if the vehicle is repaired or totaled. Physical evidence at the crash scene disappears as soon as the road is cleared. Acting quickly is not a suggestion. It's the difference between a case built on evidence and one built on competing narratives.

Our Georgia car accident lawyers take immediate steps to preserve the evidence in speed-related crash cases. If you've been hurt in a Georgia car accident caused by a driver who was going too fast, [contact us online](#) or call 1-800-898-HAYS. We can also help you understand [how delayed symptoms](#) affect your claim and how [pain and suffering](#) is calculated in Georgia.

Our firm takes speeding accident cases on contingency, which means our fee is entirely performance-based. You pay nothing unless and until we recover compensation for you.