

Hydroplaning Car Accidents in Georgia and the Fault Questions They Raise

When Wet Roads Become the Center of a Negligence Dispute

A lot of drivers assume that when rain or standing water causes a car to hydroplane, no one is really at fault. Weather happens. Roads get wet. That assumption costs people their claims every year, because hydroplaning accidents in Georgia involve the same fault analysis as any other crash, and the water beneath a vehicle's tires rarely tells the whole story on its own.

The truth is that a driver who hydroplanes into another vehicle or off the road almost always had choices before that moment: how fast they were traveling relative to conditions, whether their tires were in adequate condition for the road they were on, whether they were following too closely for the amount of rain coming down. Georgia law doesn't give drivers a pass because the road was wet.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our [Georgia car accident lawyers](#) handle wet-road crashes regularly, and the fault questions in hydroplaning cases are some of the most contested we see. Here's what injured Georgians need to understand before accepting any settlement offer or assuming weather absolves whoever hit them.

Why Georgia's Speed Law Makes Hydroplaning Accidents a Negligence Issue

Georgia's basic speed rule, codified at [O.C.G.A. § 40-6-180](#), requires drivers to operate at a speed that is reasonable and prudent for the conditions present. That language matters in a hydroplaning case, because it means the posted speed limit isn't a defense. A driver traveling the speed limit in heavy rain on a standing-water-prone stretch of highway may still be violating § 40-6-180 if conditions called for a slower speed.

Georgia also imposes specific reduced-speed requirements under [O.C.G.A. § 40-6-181](#) for conditions that include wet pavement. Together, these statutes establish that a driver who hydroplanes during rain doesn't get to point at the weather and walk away from a liability analysis. The speed they were traveling, the condition of their tires, the gap they were maintaining, and the road conditions they encountered all feed into whether their conduct was reasonable.

The behaviors that most commonly produce hydroplaning crashes and negligence liability include:

- **Driving At Posted Speeds During Heavy Rain:** Georgia's basic speed rule requires drivers to slow down when rain reduces traction and visibility. Driving the speed limit in a downpour, particularly on highway overpasses or sections prone to runoff pooling, may still constitute unreasonable speed under Georgia law.
- **Worn Or Underinflated Tires:** Hydroplaning occurs when a tire can't channel water away fast enough to maintain contact with the road surface. Tires with inadequate tread depth and improper inflation lose that channeling ability much sooner, at much lower

water depths, than properly maintained tires. A driver who knew their tires were worn and drove anyway bears responsibility for the predictable consequences.

- **Following Too Closely In Rain:** Reduced visibility and increased stopping distances make tailgating in rain especially dangerous. A driver who hydroplanes because they can't react in time after following too closely has compounded one traffic violation with another.
- **Failure To Use Headlights:** Georgia requires headlights whenever windshield wipers are in use under [O.C.G.A. § 40-8-20](#). A driver who was running without lights in rain is already in violation of Georgia law, which informs the negligence analysis.

What Hydroplaning Actually Is and Why Speed Determines the Outcome

Hydroplaning happens when a vehicle's tires encounter more water than they can displace, causing the tire to ride on top of a thin film of water rather than maintaining contact with the road. At that point, the driver loses meaningful control of steering, braking, and vehicle direction.

The physics are well understood. Tire engineers measure the speed at which hydroplaning begins for a given tire design under a given water depth. Higher speeds, shallower tire tread, and deeper water all bring that threshold down. A driver operating at 65 miles per hour in heavy rain with tires worn to marginal tread depth isn't an unlucky victim of conditions. They're someone who chose a speed and a vehicle configuration that made hydroplaning nearly inevitable.

That's the negligence argument that Georgia injury lawyers build when a hydroplaning driver causes a serious crash, and it's supported by the physical evidence: pre-crash vehicle speed from event data recorders, post-crash tire tread measurements, weather data showing rainfall rates at the time and location of the crash, and road condition reports from [GDOT's crash data and reporting system](#).

Fault When Multiple Parties Contribute to a Hydroplaning Crash

Consider a driver on Georgia 316 near Lawrenceville who hydroplanes in moderate rain and crosses the center line into oncoming traffic. The other driver was maintaining appropriate speed and safe following distance. The at-fault driver's tires were legal but near the end of their service life, and they were traveling at the speed limit when conditions warranted something slower.

The liability picture here is relatively clear: the driver who lost control and crossed center made choices that produced the crash. But hydroplaning accidents sometimes involve a second layer of fault, and Georgia law accommodates that.

Road design and drainage failures can create standing water where it doesn't belong. If a highway's drainage infrastructure was known to collect water during moderate rain, and that information was in GDOT's maintenance records, the government entity responsible for that road may share liability. The same principle applies to commercial properties with parking lot drainage that channels runoff onto adjacent roadways.

Georgia follows [modified comparative fault rules](#) under O.C.G.A. § 51-12-33. As long as the injured person is less than 50 percent at fault, they can recover, with damages reduced by their share. An injured driver in a head-on hydroplaning crash may have contributed to the accident in some way, and the defense will look for anything to attribute to them. Having legal representation during that investigation changes the quality of the outcome significantly.

The Evidence That Makes or Breaks a Hydroplaning Injury Claim

The physical evidence in a hydroplaning crash degrades quickly. Rain washes away debris. Road conditions normalize as weather clears. The at-fault vehicle gets repaired or returned to the dealer. Gathering the right evidence within days, sometimes within hours, is one of the most time-sensitive aspects of wet-road injury representation.

Key evidence categories in a hydroplaning case include:

- **Event Data Recorder (EDR) Data:** Most vehicles manufactured after 2012 carry onboard data recorders that capture vehicle speed, brake application, throttle position, and other parameters in the seconds before a crash. This data tells the story of what the driver was doing before they lost control, and it can confirm that the driver wasn't taking any corrective action before impact.
- **Tire Inspection And Documentation:** The at-fault vehicle's tires should be photographed and measured immediately after the crash. Tread depth measurements, wear patterns, and pressure readings at the time of the crash are critical to establishing whether the driver's tire condition contributed to the hydroplaning event.
- **Weather Records And Rainfall Data:** Official precipitation data from the National Weather Service, airport stations, and other monitoring locations near the crash site establishes how much rain was falling, for how long, and whether the intensity was foreseeable to a driver who'd been on the road for any length of time.
- **Roadway Maintenance And Drainage Records:** When standing water played a role, the road's drainage history matters. Records showing known ponding problems, unaddressed maintenance requests, or prior hydroplaning crashes at the same location can open a government liability angle that substantially increases the recovery available to injured victims.

Injuries and Compensation in a Hydroplaning Crash

Hydroplaning crashes often produce high-speed, high-energy collisions because the driver who loses control has no ability to reduce speed before impact. [Head-on crashes](#) involving a hydroplaning vehicle crossing the center line carry the same physics as any head-on collision, regardless of weather.

Common injuries include [traumatic brain injuries](#), [spinal injuries](#), head-on collision injuries, and thoracic injuries from airbag deployment and restraint loading. [Compensation in a Georgia car accident case](#) can include medical expenses, future care needs, lost income, lost earning capacity, and non-economic damages for the pain and life disruption the injury caused.

Georgia's [serious injury threshold](#) for non-economic damages is relevant in these cases, and how that threshold applies to a specific injury is something a Georgia car accident attorney can walk you through based on the facts of your situation.

Compensation Available When Wet Road Conditions Meet Driver Negligence

Rain doesn't make a careless driver less liable. It makes proving their negligence more important, because insurers know that weather provides them a narrative to push back on claims. Our attorneys know how to dismantle that narrative with physical evidence, speed data, and the statutory framework that holds Georgia drivers responsible for adjusting to conditions.

The [Law Offices of Gary Martin Hays & Associates, P.C.](#) has recovered [\\$1 billion for Georgia injury victims](#), and wet-road crash cases are among the cases where carrier resistance is highest and thorough evidence work makes the clearest difference to what an injured person ultimately receives.

Put Georgia's Billion Dollar Injury Lawyer On Your Side Today

If you were hurt in a hydroplaning crash in Georgia, [contact us](#) today. Our fee structure means there's no invoice waiting for you while the case is being built. We receive a legal fee only if and when we win compensation for you.