Car Accidents During Severe Thunderstorms In Georgia

Why Rain And Lightning Don't Excuse Careless Driving Under Georgia Law

Roughly 75 percent of all weather-related vehicle crashes in the United States happen on wet pavement, and nearly half occur during active rainfall, according to data from the Federal Highway Administration (FHWA). More than 5,700 people are killed on wet roads each year, and over 3,400 of those deaths happen while rain is actively falling.

Georgia's mix of afternoon thunderstorms, flash-flooding interstates, and commuter traffic creates exactly the conditions those numbers describe. When a careless driver strikes someone during a storm, the weather doesn't erase their fault.

At the Law Offices of Gary Martin Hays & Associates, P.C., our Georgia car accident attorneys handle weather-related crash claims the same way we handle any serious injury case: by building the evidence that shows what the other driver did wrong, why the conditions didn't excuse it, and what the victim's injuries are actually worth.

What Georgia's Basic Speed Law Requires When It Rains

O.C.G.A. § 40-6-180 establishes Georgia's basic speed rule, and it doesn't stop at the posted speed limit. The statute requires every driver to operate at a speed that's reasonable and prudent under the conditions present at the time, including weather, visibility, and road surface.

A driver traveling 65 mph on a rain-soaked interstate during a thunderstorm can be negligent even if the posted limit is 65 mph, because the law demands more than just staying within the number on the sign. The same principle applies to speeding during rain: the violation isn't purely about the posted limit but about whether the driver's chosen speed was appropriate for what conditions actually demanded.

Several driving behaviors that are legal in dry conditions become legally significant during a Georgia thunderstorm, and these patterns come up repeatedly in weather-related crash investigations:

- **Following Too Closely On A Wet Roadway:** Wet pavement extends stopping distances significantly, and a driver who maintains the same following distance in rain as they would on a dry highway is already driving more dangerously than conditions allow, regardless of whether they're technically speeding.
- **Failing To Reduce Speed Below The Posted Limit:** The basic speed rule requires a speed that's reasonable for actual conditions, not just for the sign. Proceeding at the posted maximum during heavy rain or reduced visibility can satisfy the letter of the limit while violating the spirit of the statute.
- **Using High Beams In Heavy Precipitation:** High beams scatter against rain, fog, and mist and often reduce forward visibility rather than improving it, a factor that appears in front-impact crashes where drivers couldn't see stopped or slowing vehicles ahead of them.

- **Proceeding Through Flooded Intersections Or Underpasses:** Moving water can stall a vehicle in seconds, and a driver who enters a flooded area and stops unexpectedly creates hazards for vehicles behind them that had no warning the road ahead was impassable.

The National Highway Traffic Safety Administration recommends reducing speed and increasing following distance as soon as precipitation begins. Drivers who ignore that guidance and cause a crash don't get to blame the weather.

How The Evidence Gets Built After A Thunderstorm Crash

Here's how that plays out in a real case: a driver heading southbound on I-285 in Clayton County encounters a severe thunderstorm, maintains highway speed, and causes a rear-end collision with a vehicle that had slowed to 45 mph in the right lane. The at-fault driver claims the rain reduced visibility too quickly to stop.

But the event data recorder shows they were traveling 68 mph at impact. Weather data from the nearest National Weather Service station confirms the storm had been active for 19 minutes before the crash. Neither fact supports the "sudden, unforeseeable" framing the carrier will try to use, and neither would hold up against the FHWA's own data showing wet-pavement crash rates.

That kind of documentary reconstruction is what separates a weather crash claim that settles fairly from one that gets minimized by an insurer using "road conditions" as a shield.

Evidence in thunderstorm crash cases typically involves more layers than a standard dry-weather collision:

- Weather service data logging rainfall intensity and timing for the crash location
- Traffic and DOT camera footage showing road conditions before and at the moment of impact
- Electronic data recorder readouts showing speed, braking input, and throttle position in the seconds before impact
- Eyewitness accounts from drivers who observed conditions on the same stretch of road
- Dashcam footage from either vehicle, if available

The work of building this kind of case from raw data is part of why our firm's recoveries for Georgia injury victims have topped $1 billion since 1993.

How Insurance Companies Use Weather Against Crash Victims

Carriers defending drivers in thunderstorm crashes follow a consistent playbook, and understanding it in advance helps victims avoid the mistakes that allow those arguments to gain traction.

The arguments insurance adjusters make after weather-related crashes in Georgia track predictable patterns:

- **The Conditions Were Too Dangerous For Anyone To Drive Safely:** This argument reframes the at-fault driver's failure to slow down or pull over as an unavoidable reaction to an extraordinary event, when Georgia's basic speed rule actually required the driver to either adapt to conditions or stop driving until conditions improved.
- **The Victim Also Failed To Account For Road Conditions:** Comparative negligence arguments are common in weather crash claims. Under Georgia law, any fault assigned to the victim reduces recovery proportionally, which is exactly why carriers push these arguments aggressively in rain-related cases.
- **Hydroplaning Is An Unforeseeable Mechanical Event:** Carriers sometimes characterize a vehicle losing traction on wet pavement as a sudden, unpredictable failure rather than a foreseeable consequence of driving at highway speed in heavy rain. That framing rarely holds up against the FHWA's own data showing how predictably wet pavement affects crash risk.

The FHWA's rain and flooding crash data cuts directly against the "unforeseeable" defense. When a government agency's own numbers show that wet pavement is the setting for three quarters of all weather crashes, a carrier can't credibly argue that a crash on wet pavement was a surprise.

SB 68 And What It Means For Thunderstorm Crash Damages

Georgia's Senate Bill 68, signed into law on April 21, 2025, changed how medical bill amounts are presented to juries in personal injury cases. Under the phantom damages reform that took effect for causes of action arising on or after April 21, 2025, juries can now see both the amount a provider billed for treatment and the amount actually paid by the victim's insurer, then decide for themselves what reasonable medical value looks like.

For thunderstorm crash victims, this means that the way medical evidence is organized and presented has become more important than it was before SB 68. The raw billed amount no longer automatically defines the ceiling for damages in the way it once did, and building a documented record that connects treatment directly to the injuries caused by the crash has become a more central part of the damages case.

A Georgia car accident lawyer who understands the post-SB 68 environment can help structure the medical documentation in a way that serves the recovery, not just the billing record.

What Georgia Rain Crash Victims Can Recover

The damages available in a thunderstorm car crash case are the same as in any Georgia personal injury claim, and they can include medical expenses, lost income, future treatment costs, and pain and suffering. What differs is how the evidence of those damages gets assembled when the crash happened in difficult conditions.

Medical records need to clearly connect the injuries treated to the force and mechanics of the crash, not simply note that an injury exists. Lost income documentation needs to show the gap between what the victim was earning and what they were able to earn during recovery. If the injuries are severe, a life care planner or vocational analyst may be needed to quantify future costs.

Georgia law also allows families to pursue wrongful death damages when a person is killed in a rain-related crash caused by another driver's negligence. The duty of care that applies to every Georgia driver doesn't diminish in a storm, and it doesn't expire when the rain stops.

When Storms And Negligent Drivers Strike, A Georgia Car Accident Lawyer Can Help

If you were hurt in a thunderstorm crash in Georgia, contact us to discuss what the evidence shows about the other driver's speed, braking, and decision to keep driving in those conditions. Traumatic brain injuries, broken bones, and soft tissue damage from rain-related rear-end collisions can produce long recovery timelines that the carrier's first settlement offer rarely reflects.

We handle Georgia car accident cases on a contingency arrangement, which means you won't pay anything in legal fees unless we recover compensation for you. There are no upfront costs and no hourly billing.