

Pedestrian Accidents At Georgia Gas Stations And Drive-Through Windows

Why These Locations Create Overlapping Liability Under Georgia Law

If you were hurt at a Georgia gas station or drive-through window while crossing a parking lot, walking between fueling islands, or approaching a food service window on foot, more than one party may be responsible for what happened. Gas stations and drive-through facilities combine features that make them consistently dangerous for [pedestrians](#): tight vehicle circulation paths, unpredictable driver movements, limited sight lines, and pressure on drivers to move quickly through the transaction.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our Georgia pedestrian accident lawyers investigate these claims by identifying every source of liability, including the property owner who designed and maintained the space and the driver who failed to yield, and building the evidence record before it disappears.

What Georgia Premises Law Requires Of Gas Station And Drive-Through Operators

[O.C.G.A. § 51-3-1](#) establishes the duty of care Georgia property owners owe to people on their premises for business purposes. Customers filling up at a gas station and guests using a drive-through window are business invitees under this standard, and the property owner must use ordinary care to keep the premises and their approaches safe.

That duty isn't just about the building itself. It extends to fueling lanes, parking areas, sidewalks, curb cuts, and any walking path a customer would reasonably use to reach the business. A gas station operator who designs a property so that pedestrians must cross active vehicle lanes without crosswalks, adequate lighting, or warning markings has made a choice that creates foreseeable injury risk, and Georgia's [premises liability](#) statute addresses exactly that kind of failure.

Several recurring property conditions at Georgia gas stations and drive-throughs create liability under the invitee standard:

- **No Designated Pedestrian Path Through The Fueling Area:** Gas station layouts often require customers to walk across active fueling lanes to reach a convenience store entrance or restroom, and properties that don't mark those paths or install traffic control measures are knowingly exposing customers to vehicle conflict zones without warning.
- **Inadequate Lighting In Evening Hours:** Parking areas and fueling islands that are poorly lit after dark reduce both driver visibility and pedestrian visibility, and the operator's failure to maintain adequate lighting is a documented maintenance decision that feeds directly into the premises liability analysis.
- **Drive-Through Queue Lines That Block Pedestrian Paths:** Some drive-through configurations require vehicles to queue across walking routes, meaning customers on

foot must wait for a gap in the line or risk crossing in front of waiting drivers, a condition the property owner created through its own design.

- **Faded Or Missing Pavement Markings In Circulation Areas:** Pedestrian crossing zones that aren't maintained become invisible to drivers who don't know to expect foot traffic in those areas, and an operator who allows markings to fade is effectively removing the only warning a driver had.

A gas station operator that knows its layout creates pedestrian conflict zones and doesn't address them isn't protected by the argument that the customer should have watched more carefully. Under Georgia's invitee standard, the duty to act runs to the property owner first.

When A Driver In The Lot Or Drive-Through Line Is Responsible

Drivers maneuvering through gas station lots and drive-through queues are still bound by Georgia traffic law. [O.C.G.A. § 40-6-91](#) requires a driver to stop and remain stopped to allow a pedestrian to cross when the pedestrian is in the driver's lane or the adjacent lane. That obligation doesn't disappear because the driver is on private commercial property.

Gas station and drive-through crashes often involve specific driver behaviors that create direct fault independent of any property condition:

- **Pulling Forward Without Checking For Foot Traffic:** Drivers moving between fueling positions or advancing in a drive-through queue sometimes focus only on the vehicle ahead without scanning for pedestrians approaching from the side, a common setup for collisions near fueling islands and order windows.
- **Distracted Maneuvering Through A Tight Lot:** Parking lots and fueling areas require continuous attention to the surrounding environment, and a driver who's looking at a phone, handling payment, or reaching for food in the moment of impact has made an independent negligence decision.
- **Backing Out Of A Fueling Position Into A Walk Zone:** Drivers reversing out of a fueling island often have limited rear visibility and may not see a pedestrian walking between adjacent pumps, particularly when the property's layout puts foot traffic directly in the driver's blind spot.
- **Moving Too Fast Through A Commercial Lot:** Gas station parking areas don't have posted speed limits, and drivers who treat them as shortcut routes at speeds that leave no margin to stop when a pedestrian appears in their path are creating liability through that choice alone.

[Comparative negligence](#) arguments are common in these claims, with insurers frequently asserting that the pedestrian should have waited for a safer crossing moment or paid closer attention. Georgia law reduces a victim's recovery proportionally by their share of fault, which is why carriers push those arguments aggressively. A [dashcam recording](#) from the at-fault driver or a nearby vehicle sometimes resolves the fault dispute entirely, which is why securing camera footage is among the first steps in these investigations.

Why Gas Station And Drive-Through Pedestrian Crashes Produce Serious Injuries

The [National Highway Traffic Safety Administration](#) reports that more than 7,000 pedestrians were killed in vehicle crashes in 2024, with tens of thousands more seriously injured across the country. Pedestrians have no structural protection in any vehicle encounter, and the gap between what a car weighs and what a person weighs makes the injury math unfavorable even at low speeds.

Gas station and drive-through crashes rarely involve vehicles moving at highway speeds, but low speeds don't prevent serious injuries. A vehicle moving at 10 to 15 miles per hour can knock a pedestrian to the pavement hard enough to produce [traumatic brain injuries](#), hip fractures, and spinal compression injuries. The secondary impact with the pavement often inflicts more damage than the initial vehicle contact.

Older pedestrians and those with mobility limitations face compounded injury risk in these environments because a fall itself can be life-altering regardless of how it started. When a property owner's design failure and a driver's inattention combine to cause that fall, both parties have contributed to every consequence the injury produces.

Questions Georgia Pedestrians Often Have After A Gas Station Or Drive-Through Crash

Does Property Owner Liability Apply Even If The Driver Was Clearly At Fault?

Yes. Property owner liability and driver liability are independent theories in Georgia. If the property's design or maintenance created a dangerous condition that contributed to the crash, the owner may be jointly liable alongside the driver even when the driver's conduct was the more direct cause of the impact. Both parties can be named in the same claim, and the fault assigned to each affects how recovery is ultimately allocated.

What If The Driver Left The Scene Without Stopping?

A driver who flees a gas station pedestrian crash is still identifiable through surveillance footage, eyewitness accounts, and vehicle registration searches tied to any partial plate information captured at the scene. If the driver genuinely can't be identified, Georgia's [uninsured motorist coverage](#) may provide a recovery pathway, and the property owner's liability isn't affected by the driver's decision to leave.

What Evidence Disappears Fastest After These Crashes?

Surveillance footage from the gas station's own camera system is often overwritten within 24 to 72 hours, which makes requesting preservation immediately one of the most critical steps in a gas station pedestrian case. Witness contact information, pavement marking photographs, and lighting condition documentation all also deteriorate quickly and can't be reconstructed once they're gone.

What A Georgia Pedestrian Injury Claim Can Recover

A [personal injury](#) claim after a gas station or drive-through pedestrian crash can include medical expenses, lost income during recovery, future treatment costs, and compensation for pain and suffering. When the property owner and the driver both bear responsibility, both are potential

sources of recovery, and sorting out how liability is allocated between them is part of the investigative work an attorney does before any settlement is evaluated.

Since 1993, our attorneys have contributed to [more than \\$1 billion in recoveries for Georgia injury victims](#) by building the kind of multi-source liability case these crashes require. A [slip and fall](#) in a fueling lane and a vehicle strike in a drive-through queue involve different legal theories, but both flow from the same demand: accountability from the parties whose decisions created the risk. Georgia law also allows families to pursue [wrongful death](#) damages when a pedestrian is killed in one of these crashes.

Get Help From A Georgia Pedestrian Accident Lawyer After A Gas Station Injury

If you were struck by a vehicle or injured on the property of a gas station or drive-through facility in Georgia, [contact us](#) to discuss whether the property owner's design or maintenance contributed to the crash alongside the driver's conduct. Gathering the evidence that establishes both sources of liability, including surveillance footage, maintenance logs, and the property's lighting records, requires moving quickly before that documentation becomes unavailable.

Our Georgia pedestrian accident lawyers work on a contingency basis, which means there are no legal fees of any kind unless we recover compensation for you, and no upfront costs to retain our firm.