

## Who's Liable When a Truck Loses Its Load on Indiana Roads?

### Injured by spilled cargo? Our Indiana truck accident lawyers are ready to fight for you

Most people never expect it. One minute, you're cruising down I-65 on your way to work or taking the family to visit relatives. The next, you're swerving to avoid debris, steel pipes, crates, or timber flying off a truck just ahead. It's sudden, terrifying, and often deadly.

When a truck loses its load on the road, lives change for the worse. But once the dust settles, you might be wondering who is responsible. If you or a loved one has been impacted by a cargo spill accident in Indiana, the Indiana [truck accident lawyers](#) at Boughter Sinak, LLC can help you understand what comes next and how to protect your rights.

### How often do trucks lose their load in Indiana?

Lost-load accidents might seem rare, but they happen more often than you'd think. Across the U.S., these crashes happen a lot and they're linked to debris falling from commercial trucks. In Indiana, where major freight corridors like I-70, I-74, and I-80 cut across the state, these incidents are all too common.

Indiana's blend of manufacturing, agriculture, and logistics means heavy, oversized, and often awkward loads are frequently on the move. Unfortunately, not all of them are secured the way they should be.

Logs, steel coils, building materials, and even entire vehicles being transported can tumble off trucks when something goes wrong. When they do, the damage is often catastrophic.

### What causes a truck to lose its load?

A lost load rarely comes down to just "bad luck." In nearly every case, something was done wrong or not done at all.

Improperly secured cargo is the biggest culprit. The Federal Motor Carrier Safety Administration (FMCSA) has detailed rules about how [different types of cargo](#) should be tied down, strapped, or blocked. But not every company or driver follows those rules carefully.

Other causes include:

- Overloading the truck or placing too much weight on one side
- Worn-out or defective equipment such as rusted straps, broken tie-downs, or faulty anchor points
- Driver error, especially when rushing, taking turns too fast, or skipping safety checks

- Weather conditions, like high winds or icy roads, which can tip the balance on an already unstable load

Sometimes it's a combination of factors. Maybe a warehouse worker didn't secure the load properly, and the driver never noticed. Or maybe an old strap snapped on a steep curve because it hadn't been replaced in years. That's when things get legally complicated.

## **Who can be held responsible for a cargo spill accident?**

In Indiana, several parties might be legally liable when a truck loses its load and it's not always just the driver.

### **The truck driver**

Drivers are responsible for checking their load before hitting the road, and they're required to stop and re-check it periodically. If they skip this step or drive recklessly, they can be found negligent.

### **The trucking company**

If the driver was working for a company, the employer may be held liable under what's called vicarious liability. This applies when an employee causes harm while doing their job.

Trucking companies can also be directly responsible if they:

- Failed to train the driver properly
- Skipped maintenance
- Encouraged unsafe practices to meet delivery deadlines

### **The cargo loading company**

Often, cargo is loaded by a third party, especially when freight changes hands at a warehouse. If that team failed to secure the load properly, they could share liability.

### **The equipment manufacturer**

If a chain, strap, or cargo bed failed due to a defect, the manufacturer of that equipment might be liable under product liability laws.

### **More than one party**

Many cargo accidents involve shared fault. Indiana follows a system called modified comparative fault, which means you can still recover damages if you're less than 51% at fault. But your compensation will be reduced by your percentage of fault.

So, if you're found 10% at fault for the crash, and the trucking company is 90% responsible, your total award would be reduced by 10%. This is the type of scenario insurance companies

take advantage of. If they can shift the blame onto you, they can reduce their financial obligations.

## **What laws regulate how cargo should be secured?**

The federal government, through the FMCSA, sets strict rules for commercial trucks. These include:

- Minimum tie-downs based on weight
- Rules for how different materials (logs, metal coils, machinery) must be secured
- Inspection and maintenance standards

In Indiana, additional laws under the [Indiana Code Title 9](#) deal with load restrictions, proper signage for oversized freight, and weight limits. Violating these laws isn't just unsafe; it can also be used as legal proof of negligence in a lawsuit.

## **How do investigators figure out who's at fault?**

Unraveling a truck cargo spill isn't like handling a fender bender. These cases require deep investigation.

Police and commercial vehicle enforcement officers typically respond to the scene. They'll photograph the load, measure skid marks, talk to witnesses, and sometimes bring in a crash reconstruction team.

But when there are serious injuries or fatalities, private investigators and lawyers often dig much deeper. They'll:

- Pull the truck's electronic logging device (ELD) to see how long the driver was on the road
- Review cargo manifests and shipping documents
- Check the truck's maintenance records
- Interview witnesses and collect dashcam or surveillance footage

The goal is to reconstruct exactly how and why the load came loose and who had a duty to prevent it.

## **What injuries and damages happen in these accidents?**

The results of a lost load can be devastating. Some victims never walk again. Others live with chronic pain, PTSD, or the financial weight of medical bills they never expected.

Common injuries include:

- Traumatic brain injuries
- Spinal cord damage
- Crushed bones or amputations
- Internal bleeding
- Severe burns (especially if flammable material spills)

The financial toll doesn't end with hospital bills. Many victims miss weeks or months of work. Some lose their jobs altogether. That's why injury claims in these cases often include:

- Medical expenses (present and future)
- Lost income and reduced earning potential
- Pain and suffering
- Emotional distress
- Property damage

In tragic cases where someone dies, surviving family members may be able to file a wrongful death claim.

### **What should you do if you're in a cargo spill accident?**

First things first; get to safety. If you're on a highway and a truck spills its load, try to pull over safely without slamming your brakes.

Once you're safe:

- Call 911 and report the crash.
- If you can, take pictures or videos of the truck, debris, damage, road conditions, and anything that might help your case.
- Get medical attention, even if you feel okay. Some injuries don't show up right away.
- Avoid talking to the trucking company or their insurance provider until you've spoken with an attorney.

These cases can get messy fast, and the sooner someone starts preserving evidence, the better your chances of getting full compensation. Speak to an attorney as soon as possible, so the insurance company can't take advantage of your situation.

### **How can a lawyer help with a lost load truck accident case?**

If you were injured in a truck accident caused by spilled or unsecured cargo, don't wait to get the legal support you need. These cases can be complicated, with multiple parties potentially at fault. [Boughter Sinak, LLC](#) knows how to cut through the confusion and build a clear, compelling case that gets results.

Our experienced Indiana truck accident attorneys will launch a full investigation into what happened, determine who's responsible, and fight to get you the compensation you deserve for your medical bills, lost wages, and pain and suffering.

Additionally, you don't have to worry about upfront costs or legal fees. We work on a contingency fee basis, which means you pay nothing unless we win your case. We also offer free, no-obligation consultations to help you understand your rights and options before moving forward.

With offices in Fort Wayne and Warsaw, we proudly serve truck accident victims throughout the state of Indiana. If spilled cargo turned your life upside down, [contact us](#) today. We'll meet you where you are, walk you through every step of the legal process, and fight aggressively for every dollar you're owed.

*"Not only did you do a fantastic job handling my case, you offered confidence and peace of mind in year that has challenged both of these Virtues. The whole process was very comfortable and personal."* – A.B., ★ ★ ★ ★ ★