

**URL:** <https://www.thefitchlawfirm.com/faqs/truck-accident-with-no-insurance-what-are-your-options/>

### **Meta Description:**

Have you been involved in a truck accident with no insurance in the state of Ohio? Read this guide to find out what your legal options are.

# **Truck Accident with No Insurance: What Are Your Options?**

You have several options if you are involved in a truck accident with no insurance. First, you can sue the truck driver and the driver's commercial company.

Unlike non-commercial drivers, a commercial truck driver must adhere to federal regulations to legally drive commercially. Getting compensation from the uninsured truck driver directly may be difficult. But there are other options.

## **Is the truck driver's company responsible for their actions?**

The company is responsible for making sure the driver is following [FMCSA federal regulations](#). This means the company is also responsible for making sure the truck driver is fully insured to drive a commercial vehicle.

If the commercial trucking company does not make sure their drivers are following the rules, they are responsible. You may be able to sue the commercial company directly. These companies carry very large insurance policies.

You also may be able to sue the company for negligence. This comes from the company employing an individual operating without the proper commercial truck insurance. If the truck driver who caused the accident has a history of ignoring regulations, your case may be even stronger.

The trucking company's insurance company may try to get out of paying you your rightful compensation. A law firm with experience dealing with truck accidents in Ohio may help you deal with these companies.

### **What are your other options for compensation?**

Some truck drivers delivering goods commercially in Ohio may be [independent contractors](#). This means they are not employed by a commercial trucking company. An independent contractor is responsible for paying their own taxes.

In this case, you cannot sue the host company for negligence because a truck driver is uninsured. The company is not responsible for making sure the independent driver is fully insured.

Obtaining compensation from an uninsured independent truck driver may prove to be even more difficult. In this case, you may want to seek help from your own insurance company.

### **Can I obtain compensation from my own insurance company?**

If you are dealing with an uninsured (or underinsured) truck driver who operates as an independent contractor, contact your own insurance company. You may be able to file for an uninsured motorist claim.

Your claim would be based on your accident being caused by an uninsured truck driver. If the truck driver who caused your accident is underinsured, your option would likely be to file a claim only after the driver's policy was expended.

An underinsured driver has an insurance policy, but the coverage is very small and under the recommended amount by their insurance company. This results in the truck driver's insurance policy not being able to cover your claim.

### **How uninsured and underinsured driver claims work**

Both underinsured and uninsured claims are categorized as tort claims. A tort claim is based on the premise that another driver's negligence led to your injuries, damages, and pain and suffering.

If your own insurance company refuses to compensate you for your damages, a UM claim may come into play. A [UM claim](#) refers to both underinsured and uninsured drivers.

### **How do underinsured/uninsured claims work?**

Part of a UM claim is a [breach of contract](#). This claim is based on your insurance company breaching its contract with you if it refuses to cover your claim involving the underinsured or uninsured driver.

If your insurance company refuses to cover your accident with an uninsured driver, you can file a claim against your company immediately. If your accident involved an underinsured company, matters are more complicated.

You likely may only file a claim against your own insurance company in a case involving an underinsured truck driver if two criteria have been met:

1. After the driver's insurance has been exhausted.
2. The truck driver's insurance company must also submit the entirety of the policy amount to you first.

Filing a UM claim against your own insurance company does strain your relationship with them. However, legally the company is not allowed to push back against you in any way.

### **How an experienced Ohio truck driver accident attorney can help you**

Navigating the legal waters in injury cases can be challenging. An experienced personal injury lawyer can help you in several ways.

First, if the negligent truck driver who caused your accident is employed by a commercial trucking company, a skilled attorney can conduct a thorough investigation and negotiate with the company's attorneys on your behalf.

Secondly, an experienced Ohio lawyer can work with the trucking company's insurance provider to ensure you receive compensation for your injuries. Many insurance companies try to avoid paying for damages.

Finally, in the event you must file a UM claim against your own insurance company, a skilled attorney can help navigate those waters for you. An experienced truck accident law firm can serve as a buffer from any awkwardness or tension between you and your company.

Contact The Fitch Law Firm today for your no-obligation [free consultation](#). We will help you determine what your options are based on the details of your case.