

## ARTICLE

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# The Collision Of Road Hazards And Negligence



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Poor driving often leads to serious accidents: a head on crash due to a blown traffic light, a T-bone collision from texting on a mobile phone, or the failure to properly clear a blind spot on the freeway and changing lanes into the path of an adjacent vehicle. According to the National Highway Traffic

Safety Administration, in 2008 there were 590 traffic fatalities in New Jersey. But not all fatalities are caused by poor driving.

With an increasing number of vehicles on roadways, people are continually engaged in the business of keeping up necessary infrastructure and maintaining our existing fleet of private and commercial vehicles. Sometimes we are negligent in our upkeep and maintenance. As a result, bridges collapse, roads grow dangerously outdated, cargo falls out of moving vehicles and construction zones put motorists and workers alike at peril. Even tires fall off in transit, which often causes catastrophic results.

In one such case, a Teaneck, N.J., man was driving when his car flipped and caught fire. He burned to death. His widow filed suit, claiming that a national automotive service chain improperly attached one of the tires and the tire fell off, causing the accident. The case ultimately settled for \$4.25 million. In another case, road debris in Texas damaged several vehicles and put one person in the hospital. In Missouri, an infamous stretch of two-lane highway with minimal shoulder has caused at least two deaths.

Black's Law Dictionary defines negligence as the failure to exercise the standard of care that a reasonably prudent person would have exercised in a similar situation. The law is meant to protect people against unreasonable risk, including risk posed by road hazards. It may be easier to prove liability in a rear-end collision, but people injured as a result of road hazards are entitled to compensation. Road hazards created through poor upkeep and maintenance of our roads and vehicles is no less negligent than poor driving.

If you or a loved one has been injured due to negligence or hazards on our roadways, it is important to [speak with a New Jersey personal injury attorney](#) to learn about your rights and legal options.