

Texas Truck Accident Data & How To Get It From Trucking Companies

A Fort Worth truck accident lawyer explains the importance of this evidence

If you were hit by a tractor-trailer or another commercial truck in Texas, you're probably dealing with serious injuries, extensive vehicle damage, and confusing legal issues. This is why it's important that you build a strong legal case in support of your [truck accident](#) injury claim.

One of the most powerful pieces of evidence in support of these cases can be found in a device in the truck sometimes referred to as a "black box." This electronic device records and stores important information about what happened.

These devices can explain in detail how the crash occurred. But trucking companies often don't want to hand over this information. That's why you need a lawyer to demand access to this data. [Coby L. Wooten, Attorney at Law, P.C.](#) can help.

What is a truck's black box and what does it record?

A black box in a truck – also called an event data recorder (EDR) – is a device that tracks and stores electronic information about how the truck is being driven. These systems are often built into the truck's engine or linked to its computer system.

Most black boxes record:

- The truck's speed before and during a crash
- When and how hard the brakes were applied
- Whether the driver was using cruise control
- Throttle position, meaning how much the gas pedal was pressed
- Sudden stops or changes in speed
- Steering activity, including sharp turns
- Whether the truck driver was wearing a seatbelt
- Engine RPMs and gear shifts
- GPS data showing the truck's exact location
- The exact time and date of all events
- When the truck driver last took a mandatory rest break

This data can give a clear picture of how the truck was being operated at the time of the crash. For example, it can show if the truck driver was speeding, didn't hit the brakes in time, or made a sudden move that caused the accident.

Are there other types of truck data recorders?

Yes. Along with EDR, many commercial trucks are equipped with an electronic logging device, or ELD. Like EDRs, ELDs record many important pieces of data during the operation of a commercial truck. ELD data includes:

- The exact date, time and location of the truck, which can be useful when investigating a truck accident
- Miles driven by the truck driver
- How long the engine has been running, which can indicate when the truck driver last took a mandatory rest break

By analyzing data, truck accident reconstruction experts can determine whether the truck driver was speeding or breaking federal or state trucking regulations.

Are trucks required to have a black box data recorder?

Yes and no. Event data recorders (EDRs) are not mandated by the FMCSA in commercial trucks. However, many newer commercial motor vehicles (CMVs) – as commercial trucks are commonly referred to – are equipped with EDRs.

The federal regulations for electronic logging devices (ELDs) are different. The Federal Motor Carrier Safety Administration (FMCSA) requires all commercial trucks over 10,000 pounds that operate across state lines (which covers most commercial trucks) to be equipped with an ELD to record each driver's hours of service (HOS) records and other important data.

It's critical that you have an attorney familiar with the complex state and federal laws governing the trucking industry in Texas.

Why is black box data important in a truck accident case?

After a serious truck accident, black box data can serve as strong evidence in support of your truck accident claim. This data can provide facts that don't rely on vague memories, biased opinions or hearsay. Here's how black box truck accident data can help your case:

- **It proves driver behavior:** If the driver was speeding, swerving, or braking too late, the data will show it.
- **It supports accident reconstruction:** Experts can use the data to recreate the crash and show how it happened.
- **It shows compliance with safety rules:** Data can reveal if the driver broke federal rules, such as driving too many hours without a break.
- **It counters false claims:** If the trucking company blames you for the collision, the black box can prove what really happened.

Without this information, it may be harder to prove that the trucking company or driver was at fault. This is why we want to start investigating your truck accident as soon as possible.

Are there laws that require trucking companies to save black box data?

Yes. While there's no exact federal rule that says, "You must keep black box data for X days," other laws often apply in cases involving collisions caused by commercial truck drivers.

Under Federal Motor Carrier Safety Regulations (FMCSRs), rules which all commercial truck companies must follow, trucking companies must:

- Keep driver logs and vehicle maintenance records for 6 months.
- Not destroy evidence if a legal claim has been made requesting the data.

In Texas, the law allows truck accident victims to demand that evidence be preserved, especially if it could be important in a lawsuit. If a company knowingly destroys this type of data after being told to keep it, such an action is called "spoliation of evidence." Courts take this seriously and may penalize the company or allow a jury to assume the missing evidence was bad for the defense.

How long do trucking companies keep black box data?

There is no one-size-fits-all rule for how long black box data is saved. And it's important to note that there are no state or federal laws requiring commercial truck drivers or trucking companies to save most black box data for a specific amount of time.

Often, how long data is stored depends on the type of device and an individual company's policies. In many trucks, an EDR or ELD stores data for about 30 days or until it gets overwritten by new data. Some systems may save information for longer, but many do not.

Some trucking companies also have fleet management systems that store more detailed information for longer periods. But again, this varies from one trucking company to another and they're not always willing to share data unless they're forced to do so.

If a lawyer sends a legal notice (called a "spoliation letter") telling the trucking company it must preserve the data, the company must legally do so. If they delete data after receiving a spoliation letter, the company could face severe legal consequences.

Why do trucking companies refuse to share this data?

Even though black box data can be key to your case, many trucking companies try to keep information hidden. Why? Because the data often shows that their driver – or their own policies – caused the crash.

Common reasons trucking companies give for not sharing the data include:

- “The data isn’t available.”
- “We don’t have to share it unless we’re sued.”
- “The data was lost or overwritten.”
- “You’ll have to get a court order.”

In some cases, they may even delay or destroy the data on purpose. That’s why it’s so important to act quickly and have a lawyer on your side. Time matters when it comes to preserving evidence.

Can a trucking company legally refuse to share black box data?

At first, yes. They might try to not share information with you. But legally, they cannot keep the data from you forever if you file a legal claim and take formal legal action requesting the data.

Here’s how the process often works:

- You or your lawyer can send a preservation letter, which requires them to save all black box and other crash-related data.
- You can then use a legal tool called discovery, a formal request for evidence once a lawsuit has been filed.
- If the company still refuses to share information, your lawyer can ask a judge to issue a court order. This order requires the trucking company to hand over the data.

Refusing to follow a court order can result in penalties, fines, or even a default judgment, where the court rules against them automatically. The bottom line – truck companies cannot legally hide black box data once a valid legal claim has been initiated by you or your Texas truck accident lawyer.

How can a truck accident lawyer help you get this information?

If the trucking company won’t cooperate and refuses to share black box data from the truck that caused your collision, a lawyer can take quick action to protect your rights and preserve critical evidence.

Here’s what a lawyer can do:

- **Send a spoliation letter** to stop the company from deleting or altering the data.
- **File a lawsuit** to trigger the discovery process and demand the data legally.
- **Request a court order** if the company still refuses to share the black box information.

- **Hire experts** to download, analyze, and explain the data.
- **Build a strong case** using the data, driver logs, maintenance records and other evidence.

Trying to do this alone can be overwhelming, especially when you're injured and dealing with the aftermath of a serious accident. An experienced Texas truck accident lawyer knows how to move quickly, use the law to your advantage and make sure no evidence disappears or is destroyed.

What if the truck black box data is already gone?

Sometimes, by the time a lawyer gets involved, the data from a truck's black box is already missing or overwritten. But that doesn't mean all is lost. Many times, you still have options for gathering evidence that clearly shows the truck driver caused your collision.

Your Texas truck accident lawyer can:

- Use other evidence like dashcam footage, eyewitness statements, police reports and physical damage to show how the truck driver caused your crash.
- Request driver logs, GPS records, or data from fleet monitoring systems to piece together exactly what happened at the time of your collision.
- Obtain video footage of the accident, including dashcam videos, traffic camera videos and red light camera footage.
- Work with accident reconstruction experts to build a strong case based on all available accident data to determine what happened, why the collision occurred and who's at fault.

In each instance, the best way to protect your rights and build the strongest possible legal case is to act fast. The sooner a lawyer gets involved, the more likely that critical evidence can be preserved and serve as the foundation for your legal case.

Get a Fort Worth truck accident lawyer who gets results

Don't let trucking companies, insurance companies or anyone else dictate what happens after your Texas truck accident. Talk to a truck accident attorney who understands state and federal trucking laws and knows exactly what to do after a serious truck crash in Texas.

At Coby L. Wooten, Attorney at Law, P.C., we fight for crash victims in Fort Worth and throughout Texas. We know the trucking industry, we know the law and we know how to demand the evidence you deserve, including black box data the company doesn't want you to see.

If you were injured in a crash caused by a commercial truck, don't wait. [Contact us](#) right now for a free consultation. We can answer your questions, explain your options and start the process of protecting and preserving truck accident evidence. We're here to help you take back control.

"I would highly recommend Coby for all legal matters. He represents his clients with due diligence, enthusiasm and you truly feel that you have someone in your corner... Coby and his firm do outstanding work!!!" – Vince K., ☆ ☆ ☆ ☆ ☆