

What Happens If the At-Fault Driver Doesn't Have Enough Insurance in Texas?

When coverage runs out, victims shouldn't be left to pay the price

[Car accidents](#) in Texas often come with lasting financial and emotional consequences, especially when the at-fault driver doesn't have enough insurance to cover the damages victims suffered. The situation is common: according to the Texas Department of Insurance, millions of registered drivers in the state are uninsured. Some estimates suggest that as many as 15 percent of Texas drivers may be on the road without any coverage at all.

Even when drivers carry insurance, it's often the bare minimum required by law. Texas only mandates \$30,000 in bodily injury coverage per person, \$60,000 per accident, and \$25,000 for property damage. In a serious crash involving hospital stays, rehabilitation, or lost income, those limits vanish quickly. Victims can find themselves facing staggering out-of-pocket costs, even though they weren't at fault.

When insurance runs out, recovering compensation becomes more complicated. But Texas law does offer options. Through uninsured/underinsured motorist (UM/UIM) coverage, stacked policies, and third-party liability claims, accident victims can often find paths to full recovery. The key is knowing where to look and how to act quickly with the help of an experienced [Texas uninsured/underinsured driver accident lawyer](#).

How uninsured and underinsured motorist coverage works

Uninsured and underinsured motorist coverage, often referred to as UM or UIM, is one of the most valuable forms of protection available to Texas drivers. It applies when an at-fault driver has no insurance or carries too little to cover the full extent of the damages they cause. This type of coverage is automatically offered with every auto policy sold in Texas, and drivers must reject it in writing if they don't want it.

UM and UIM coverage can compensate an injured person for a wide range of losses, including medical expenses, property damage, lost income, and pain and suffering. However, collecting payment under this coverage is rarely straightforward. Even though the coverage comes from a victim's own insurer, the process is often adversarial. Insurers frequently dispute fault, challenge the seriousness of injuries, or undervalue the damages in order to save money.

For many accident victims, this situation feels like a betrayal of trust. Insurers often advertise themselves as protectors but operate with profit in mind. To recover the full amount available under a policy, claimants must prove their case with the same level of evidence required in a claim against another driver. Legal representation can make a significant difference by holding

the insurer accountable to its contractual duties and ensuring the claim is properly valued and paid.

Stacking insurance policies for maximum recovery

When a single uninsured or underinsured motorist policy isn't enough to cover the full cost of a serious crash, Texas law may allow "stacking" – combining the limits of multiple policies to increase the total compensation available. This can be especially important after severe injuries, long hospital stays, or permanent disability.

Stacking often applies in households or families that maintain more than one insurance policy. Depending on the policy language, the UM/UIM limits from different vehicles or policy types may be combined to create higher overall coverage. Policy wording is critical, since some insurers allow stacking while others restrict or exclude it.

Policies that may be eligible for stacking include:

- **Separate auto policies** issued for different vehicles in the same household.
- **Multi-vehicle family policies** with distinct UM/UIM limits for each covered car.
- **Umbrella policies** that include UM/UIM protection.
- **Motorcycle or recreational vehicle policies** with applicable UM/UIM coverage.
- **Commercial or employer-provided vehicle policies** involved in a work-related crash.

Stacking can significantly expand the coverage available to injured victims, but insurers rarely volunteer this information – and may resist paying stacked benefits even when allowed. A careful review of each policy, the fine print, and any restrictions is essential. An attorney experienced in Texas insurance law can identify all qualifying policies, enforce every available limit, and help ensure no compensation is left on the table.

Third-party liability when another party shares the blame

In many Texas car accidents, responsibility does not end with the at-fault driver. Additional individuals or entities may share liability when their actions or negligence contributed to the crash. Pursuing third-party liability claims can reveal new sources of compensation that go beyond the limits of the driver's insurance policy.

Common examples of third-party liability include:

- **Employers:** When an employee causes a crash while performing job duties.
- **Vehicle owners:** When an owner allows an unfit or unlicensed driver to use their vehicle.
- **Bars and restaurants:** When a business overserves alcohol to a customer who later causes an accident.
- **Manufacturers or repair shops:** When defective vehicle parts or negligent repairs lead to loss of control or mechanical failure.

Uncovering third-party liability requires a detailed investigation, technical expertise, and access to records that ordinary claimants cannot easily obtain. These cases are often complex but can substantially increase the total recovery available. With a lawyer's help, victims can ensure that all responsible parties are identified and that every viable avenue for compensation is fully explored.

The legal challenges of recovering from an underinsured driver

Recovering compensation from an underinsured driver isn't a straightforward process. Insurance companies, even one's own, often dispute the extent of injuries, minimize damages, or delay claims in hopes that victims will settle for less. Proving losses and forcing payment often requires persistence and legal pressure.

Filing a lawsuit is sometimes necessary to compel an insurer to honor its obligations. UM/UIM lawsuits involve strict procedural rules and evidentiary standards. Insurance policies are treated as contracts under Texas law, meaning each clause can affect how and when money is recovered.

For victims, this complexity can feel overwhelming. For an experienced lawyer, it's a familiar battlefield. Knowing how insurers operate, and how to challenge their defenses, can make the difference between frustration and justice.

Justice should not depend on someone else's insurance

Being hit by an uninsured or underinsured driver can leave victims facing financial hardship and uncertainty about what to do next. No one should have to shoulder that burden alone, especially when they did everything right. Insurance companies often make recovery harder than it should be, using delays and denials to minimize payouts.

With more than 30 years of experience and a proven record of [million-dollar verdicts and settlements](#), [Coby L. Wooten, Attorney at Law, P.C.](#) knows how to take control when insurers and negligent drivers fall short. Our team has handled complex car, truck, and catastrophic injury cases across Fort Worth and North Texas, fighting relentlessly to get clients the compensation they deserve.

If you were injured by a driver who didn't have enough insurance, now is the time to take control. [Contact us](#) for a free consultation to discuss your case and find out how experienced legal representation can help you recover every dollar the law allows.