Can You Sue Uber Eats After a Car Accident?

Understanding Your Rights After a Fort Worth Delivery Crash

Food delivery apps have changed the way North Texas eats, but they have also put more distracted, rushed drivers on the road in Fort Worth, Dallas, and across Tarrant County. When an Uber Eats driver causes a wreck, or when a delivery driver gets hit by someone else, the question quickly becomes who actually pays for the resulting injuries. That question is rarely simple, because Uber Eats works hard to keep its drivers classified as independent contractors rather than employees.

That classification matters. It's the reason Uber Eats can point to its drivers as the responsible party instead of accepting responsibility itself, and it's the reason so many accident victims assume they have no options at all. In certain situations, an injured party can pursue a claim against Uber Eats' insurance coverage, and in rarer cases, against the company directly.

Sorting out which insurance policy applies, and whether Uber Eats bears any direct responsibility, is rarely something a victim can work out alone. That is exactly why so many injured parties turn to a Fort Worth car accident lawyer early, before an adjuster has a chance to lock in a low settlement.

What Causes Uber Eats Delivery Accidents?

Uber Eats drivers are paid per delivery, which creates real pressure to move fast and take on as many orders as possible in a shift. That pressure shows up in the patterns behind most delivery crashes across Fort Worth and Dallas.

- **Distracted Driving:** Drivers glance at the app for turn-by-turn directions, new order alerts, and customer messages while they should be watching the road.
- **Speeding and Time Pressure:** Per-delivery pay encourages drivers to rush between stops, often running yellow lights or changing lanes without warning.
- **Driver Fatigue:** Many delivery drivers stack shifts across multiple gig apps or work long hours after a separate full-time job.
- **Unsafe Stopping and Parking:** Drivers frequently double park, stop in traffic lanes, or pull over abruptly to grab an order or make a drop-off.
- **Unfamiliar Routes:** Delivery apps send drivers into neighborhoods and complexes they don't know well, increasing the odds of a wrong turn or a sudden, unplanned stop.

Identifying which of these behaviors caused a particular crash often becomes the foundation of a strong claim, and that kind of investigation is exactly the work a lawyer takes on so a victim doesn't have to piece it together alone.

Does Uber Eats Provide Insurance Coverage?

Uber Eats carries insurance for its drivers, but whether that coverage applies to a particular crash depends entirely on what the driver was doing in the app at the moment of impact. Texas doesn't operate under a no-fault system, so the driver's status inside the Uber Eats app becomes just as important as who caused the wreck.

- **If the Driver Was Not Logged Into the App.** Uber Eats provides no coverage at all in this situation. The driver's own personal auto policy is responsible for the crash, the same as any other driver on the road.
- **If the Driver Was Logged in But Hadn't Accepted a Delivery Yet.** Uber Eats provides contingent coverage of up to $50,000 per person and $100,000 per accident for injuries, plus up to $25,000 for property damage. This coverage typically only applies once the driver's own insurance has denied the claim.
- **If the Driver Was Actively Picking Up or Delivering an Order.** Uber Eats extends up to $1 million in liability coverage for injuries and property damage caused by the driver. This is the broadest coverage tier, and it's the one insurers fight hardest to avoid confirming applied at the time of the crash.

Determining which coverage applies may require obtaining records showing the driver's status in the app at the time of the crash.

Can Uber Eats Actually Be Sued?

Uber Eats classifies delivery drivers as independent contractors rather than employees. As a result, Uber generally disputes that it can be held vicariously liable for a delivery driver's negligence in the same way an employer may be responsible for an employee's conduct. In practice, this means most claims get resolved against the driver's insurance or Uber Eats' policy rather than through a lawsuit naming the company directly. That said, there are real exceptions where Uber Eats itself can be held accountable.

- **Negligent Hiring or Retention:** Depending on the circumstances, evidence that Uber knew or should have known a driver was unfit or unsafe may support a direct negligence claim.
- **Uber's Own Conduct:** In some cases, a lawyer may investigate whether Uber's own policies, technology, or control over the driver contributed to the crash. These claims are highly fact-specific and can be difficult to establish.

These exceptions don't come up in every case, and spotting them requires a lawyer who knows to look past the independent contractor argument and dig into how the crash actually happened.

What Compensation Can Be Recovered

An Uber Eats crash can leave a victim with medical bills, missed paychecks, and a level of pain that doesn't show up on an X-ray. Texas law allows injury victims to pursue compensation for the full scope of what a wreck actually costs, not just the emergency room bill.

- **Medical Expenses:** Ambulance transport, hospital care, physical therapy, and any future treatment tied directly to the crash.
- **Lost Income:** Wages missed during recovery, along with the long-term impact on a victim's ability to earn if their injuries limit the work they can do going forward.
- **Pain and Suffering:** Compensation for the physical pain and emotional toll of the crash, separate from out-of-pocket costs.
- **Property Damage:** Repair or replacement costs for a vehicle, and for a bicycle or other property damaged in the wreck.

The value of any claim depends heavily on the severity of the injuries involved and how clearly liability can be established, which is exactly why a full case review from a lawyer matters before accepting anything an insurance company offers.

Texas's Deadline and Fault Rules for These Claims

Texas gives injury victims two years from the date of the crash to file a personal injury lawsuit under Texas Civil Practice and Remedies Code Section 16.003. Missing that deadline can result in the loss of the right to pursue compensation through a personal injury lawsuit.

Texas also follows a modified comparative negligence rule under Texas Civil Practice and Remedies Code Section 33.001. A victim found more than 50% responsible for the crash can't recover anything, and any percentage of fault assigned to them reduces their compensation accordingly. Insurance adjusters know this rule well, and they'll often try to shift blame onto the injured party early in the process to shrink what they eventually have to pay.

A lawyer who moves quickly can lock in evidence, meet every filing deadline, and push back before an adjuster gets the chance to assign more blame than the facts actually support.

Steps That Protect a Claim After the Crash

What happens in the hours and days after an Uber Eats crash can shape the entire claim that follows. A few steps make the biggest difference.

- **Call 911 And Get a Police Report:** A responding officer's report becomes one of the strongest pieces of evidence in the file.
- **Get Medical Care Right Away:** Some injuries, including concussions and soft tissue damage, don't show symptoms until days later.

- **Document Everything at the Scene:** Photos of the vehicles, the road, and any injuries, along with contact information for witnesses, are often impossible to recreate later.
- **Confirm the Driver's Delivery Status:** Asking whether the driver was logged into the app and whether they were en route to a pickup or drop-off matters, since this detail determines which insurance tier applies.
- **Contact a Lawyer for a Free Case Evaluation:** Reaching out as soon as possible after the crash gives an attorney the best chance to secure evidence and identify every insurance policy that may apply before anything gets lost or overwritten.

Completing these steps protects a claim before it even begins, but the strongest cases still benefit from a lawyer reviewing everything gathered and identifying what else needs to be documented.

Talk to a Fort Worth Uber Eats Accident Lawyer

Determining which insurance policy applies and whether Uber Eats bears any direct responsibility can be complicated. Coby L. Wooten, Attorney at Law, P.C. has spent over 30 years fighting these exact battles for injury victims across Fort Worth, Dallas, Arlington, and the rest of Tarrant County.

There are no case managers standing between a client and their attorney here. Coby Wooten or Mattilyn Smith works directly with clients from the first call through the resolution of the case, and every case is handled on a contingency fee basis, meaning there's nothing owed unless compensation is recovered. Texans don't take chances with an insurance company's first offer, and no one should have to. We have recovered millions of dollars for Texas accident victims, including a $780,000 settlement for a motor vehicle collision.

If an Uber Eats driver caused an injury, or if a delivery driver was hurt by someone else, contact us today for a free case consultation. We'll walk through what happened, explain the insurance coverage that may apply, and get to work building the case.