

WHO WILL PAY FOR MY PROPERTY DAMAGE AFTER A CAR ACCIDENT?

The question of who will be paying for my property damage depends on how fast you want your vehicle repaired.

Under Texas law, you have the right to repair your car at the body shop of your choice. The question of who will pay for my property damage after a car accident depends on how fast you want your vehicle repaired. And if the at-fault party has accepted liability.

AFTER AN ACCIDENT SHOULD I MAKE A CLAIM FOR MY CAR DAMAGE ON MY OWN CAR INSURANCE?

When you are involved in a car accident with another person, and the other person is at fault, they will pay to repair your car damage or total your vehicle. However, before they pay for anything they have to determine if their insured was at fault and is responsible for your car damage. Their investigation process could take up to 30 days depending on their insured's cooperation, the duration it takes for the police report to get ready, and other factors.

Therefore, if you have collision coverage on your own insurance policy, it is best practice to use your own insurance for faster results. Would the insurance company raise my premiums? My answer is usually yes, however, not for the reasons that you think and you have options to lower the premiums. (Better understand your insurance policy.)

HOW DO I REPAIR MY CAR AFTER I MAKE AN INSURANCE CLAIM?

Once you claim the car damage with either insurance company they will send an adjuster out to inspect your car. The adjuster evaluates the car damages and creates an estimate for the insurance company. You will notice that the estimate of your car damage from the adjuster is lower than the estimate provided by your body shop.

There is no point to argue or and try to point out all the damages to the adjuster. The adjuster undervalues the repairs to benefit the insurance company and the body shop overvalues the repairs.

In addition, the adjuster does not consider the car damages that are not visible to the naked eye. Therefore, it is important that your body shop opens the vehicle and inspects the car for additional damages. The body shop then will call the adjuster to come back to the body shop to supplement the car damage. If the damages exceed the value of the car the vehicle will be declared a total loss.



WHO WILL PAY FOR MY RENTAL CAR IF MY CAR IS GETTING REPAIRED?

If the at-fault's insurance company is paying for your car damage, during the time that your vehicle is being repaired, you have the right to be in a rental vehicle. It is important that you follow up with the body shop on your repairs. The body shops have the tendency to get lazy and prolong your repairs.

If the body shop prolongs the repair of your car damage you will be responsible for the rental days not covered by the insurance company.

In the past, when the body shop takes too long, I have asked the body shop to cover the additional rental days that the body shop does not cover. As a personal injury law firm, we understand the importance of ensuring that our clients' needs are met, and we strive to advocate for their rights and interests.

For more information on Texas window tint laws and how they may impact your case, you can refer to our blog post titled “Texas Window Tint Law Guide”.