

Court rules message sender can be liable for distracted driving injuries

Written by Australian Business

September 28, 2013 /**24-7PressRelease**/ -- In Georgia, like many states, it is against the law to send and receive text messages while driving. An out-of-state court recently took things one step further, however, by ruling that a non-driver can be held legally responsible for sending text messages when he or she knows that the recipient is driving.

Remote texter liability

In a recent New Jersey case, a court of appeals held that a message sender can be held liable for [distracted driving accidents](#) in which a third party is injured. For a non-driving texter to be liable, however, the court clarified that the sender must know that the recipient is viewing the messages while driving.

The case originated from a crash that occurred while an 18-year-old driver was texting with a 17-year-old at another location. Within 30 seconds after receiving the last text message from that individual, the driver crashed and two motorcyclists were seriously injured. In this particular case, however, the court concluded that the message sender could not be held liable because it had not been established that she knew the recipient was driving.

Georgia distracted driving law

Because the remote texter case occurred in another state, it does not directly affect the law in Georgia, where there is no precedent for holding a remote texter liable for distracted driving injuries to third parties. However, legal experts throughout the country followed the case with interest because it could potentially mark the beginning of a new trend in distracted driving liability.

In July 2010, Georgia's ban on texting while driving went into effect, making it illegal for all drivers to send or receive text messages while operating a motor vehicle. The Georgia law also bars bus drivers and novice drivers from cellphone use of any kind on both handheld and hands-free devices.

Despite the texting ban, however, distracted driving remains a major safety concern in Georgia. In 2011 -- the year after the new law went into effect -- cellphone use and other forms of distracted driving caused 3,840 [crashes in Georgia](#), the Atlanta Journal-Constitution reported.

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Those crashes resulted in 955 serious injuries and nine deaths.

Compensation for Georgia car accidents

When someone is injured or killed by a distracted driver in Georgia, the law allows the injured person or his or her surviving family members to seek monetary compensation for the harm they have suffered. Potential forms of compensation include medical bills, hospitalization costs and lost wages, and other damages resulting from the crash.

If you or a loved one has been hurt in a Georgia traffic accident, contact a personal injury lawyer in your area to discuss the specifics of your situation and learn about your legal options.

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