

Who's at Fault When a Car Pulls Out in Front of You and Causes an Accident?

What Florida law says about yielding and negligence

Few crashes feel as sudden or as frustrating as when another driver pulls out in front of you with little or no warning. One moment you're driving normally, and the next you're slamming on the brakes with no time to react. These [car accidents](#) often leave drivers shaken, injured, and unsure about who is legally responsible.

In Florida, fault matters. It affects insurance claims, compensation, and whether you can recover damages for medical bills, lost income, and pain and suffering. These cases aren't always as straightforward as they seem, and the way fault is handled can shape what happens next.

Why do these accidents happen?

When a driver pulls out in front of another vehicle, it's rarely intentional. These crashes usually come down to judgment errors, inattention, or risky decisions made in a matter of seconds. Some of the most common reasons include:

- **Failure to yield the right of way:** Drivers entering a roadway, turning left, or pulling out from a stop sign are required to yield to oncoming traffic. When they don't, collisions often follow.
- **Misjudging speed or distance:** A driver may think they have enough time to pull out, only to underestimate how fast an oncoming vehicle is traveling.
- **Distracted driving:** Looking at a phone, adjusting GPS, or being focused on something inside the vehicle can cause a driver to miss approaching traffic.
- **Poor visibility:** Parked cars, landscaping, weather conditions, or low lighting can block a driver's view, leading to unsafe decisions.
- **Rushing or aggressive driving:** Impatience, trying to "beat traffic," or making impulsive moves increases the risk of serious crashes.

Where do these accidents happen?

These crashes tend to happen in places where drivers are entering or crossing traffic, especially in busy or congested areas. Some of the most common locations include:

- **Intersections:** Especially during left turns or when drivers fail to yield at stop signs or traffic signals.
- **Parking lots and shopping centers:** Drivers exiting parking areas often underestimate oncoming traffic or assume other vehicles will stop.
- **Residential streets:** Pulling out of driveways or side streets can be dangerous when visibility is limited.

- **Highway on-ramps:** Merging into fast-moving traffic requires accurate judgment, and mistakes can lead to high-impact crashes.
- **Business entrances and gas stations:** These areas often involve sudden stops and quick turns that increase the risk of pull-out collisions.

Types of crashes caused by pull-out accidents

When a vehicle suddenly pulls out in front of another, there is often little time to react. The result is not always a simple fender bender. These crashes can happen in several ways, depending on speed, angle, and location, and many lead to serious injuries. Common types of crashes include:

- **T-bone (side-impact) collisions:** One of the most common outcomes when a driver pulls out from a side street or driveway. The side of a vehicle offers less protection, making these crashes especially dangerous.
- **Rear-end accidents:** If traffic comes to a sudden stop because a vehicle pulls out unexpectedly, drivers behind may not have enough time to brake.
- **Sideswipe accidents:** These can occur when a driver pulls out, and another vehicle attempts to avoid impact by swerving.
- **Multi-vehicle crashes:** On busy roads, a single pull-out accident can quickly involve multiple vehicles, increasing the risk of serious injuries and complicating insurance claims.

What is Florida's right-of-way law?

[Florida Statute 316.125](#) addresses situations involving vehicles entering roadways. The requirements under Florida law include:

- Drivers entering a highway from a driveway, private road, alley, or building must yield the right-of-way to vehicles already on the highway that are close enough to be an immediate hazard.
- In business or residential areas, drivers coming out of a driveway, alley, or building must:
 - Stop before entering a sidewalk, or
 - If there's no sidewalk, stop at the closest point where they can see oncoming traffic.
- Drivers must yield to both vehicles and pedestrians that are close enough to pose an immediate hazard.

Violating this rule is a noncriminal traffic infraction and is treated as a moving violation under Florida law. If a driver violates these rules and causes a crash, they are usually responsible. However, insurers may still argue that the other driver had time to avoid the collision or was speeding.

Who is at fault when a car pulls out?

In most cases, the driver who pulls out in front of oncoming traffic is at fault. Florida law requires drivers entering a roadway to yield to vehicles already traveling on that road. When a driver fails to yield and causes a collision, they are typically considered negligent.

Florida uses a comparative negligence system, meaning fault can be shared. Even if you are partially at fault, you may still recover compensation, though it could be reduced based on your percentage of responsibility.

That said, fault is not always automatic. Every case is different, and even in situations that seem straightforward, fault may be disputed.

Situations where fault may be disputed

While many accidents caused by a car pulling out are clear-cut, some cases involve shared or disputed fault. Common situations include:

- **Speeding claims:** Insurance companies may argue that the oncoming driver was speeding and contributed to the crash. Even if speed played a role, it doesn't automatically remove responsibility from the driver who failed to yield.
- **Obstructed views:** A driver might claim their view was blocked by parked cars, buildings, or poor visibility. Limited visibility, however, does not excuse pulling into traffic when it's unsafe.
- **Sudden stops or lane changes:** Insurers may argue that the other driver stopped abruptly or changed lanes unexpectedly, contributing to the collision. Gathering clear evidence is crucial in addressing these claims.

How is fault proven after a pull-out crash?

Fault is not based on opinions. It is based on evidence. Strong claims often rely on a combination of:

- **Police reports:** Officers document the scene, note traffic violations, and record driver statements. While not final proof, police reports carry weight with insurers.
- **Witness statements:** Independent witnesses can confirm whether a driver failed to yield or pulled out suddenly.
- **Vehicle damage:** Damage patterns help show angles of impact and support how the crash occurred.
- **Traffic camera or surveillance footage:** Video evidence can clearly show the timing and actions of each driver.
- **Accident reconstruction:** In disputed cases, experts may analyze speed, braking, and roadway conditions to determine fault.

What to do after a car pulls out in front of you

Taking the right steps early can protect your claim:

- Call 911 and request police.
- Seek medical attention, even if injuries seem minor.
- Take photos of the vehicles, scene, and damage if safe to do so.
- Collect witness contact information.
- Avoid discussing fault at the scene.
- Notify your insurance company.
- Speak with a car accident lawyer before giving detailed statements.

Move forward after your crash with a Palm Beach Gardens car accident lawyer

When another driver pulls out in front of you, the crash can leave lasting physical, financial, and emotional effects. Determining fault is not just about assigning blame. It is about making sure you are not left paying for someone else's mistake.

At [The Law Offices of Casey D. Shomo, P.A.](#), Mr. Shomo's focus is on protecting clients, not rushing cases or pressuring decisions. He understands how stressful these situations are and works to provide clear guidance, honest answers, and steady support throughout the process. Whether through settlement negotiations or inside a courtroom, he will always stand by your side.

If you were injured in a car accident in Palm Beach Gardens or anywhere in Palm Beach County, [contact us today](#). A member of his team can help you understand your options and protect your rights.