

How the Graves Amendment Affects Your Right to Compensation After a Rental Car Accident

Why Injured Drivers in Texas and Oklahoma Need Strong Underinsured Motorist Coverage

When you're hit by a driver in a rental car, you expect the company that owns the vehicle—Hertz, U-Haul, Enterprise, or anyone else—to help cover your losses. After all, they own the vehicle involved in the crash, so they should be responsible, right?

Unfortunately, a little-known federal law called the [Graves Amendment](#) often makes it much harder for injured victims to recover compensation in these situations.

At [Hoover Rogers Law, LLP](#), we have, unfortunately, seen how this law impacts crash victims across Texas and Oklahoma. What these cases boil down to is this: without the right insurance coverage in place, you could face overwhelming medical bills, lost income, and a long road to recovery with no legal way to hold the rental company financially responsible.

What Is the Graves Amendment?

The Graves Amendment, enacted in 2005, is a federal law designed to protect vehicle rental and leasing companies from being held automatically liable for crashes caused by their customers. Before the law was passed, many states, including Texas and Oklahoma, allowed injured victims to file lawsuits against rental companies based on the doctrine of vicarious liability.

Under vicarious liability, the owner of a vehicle could be held responsible simply because they owned it, even if they did nothing wrong. Rental companies argued this was unfair and lobbied Congress for protection.

Today, the Graves Amendment states:

- A vehicle rental or leasing company cannot be held liable for injuries caused by a renter unless the company's own negligence contributed to the crash.
- The law also protects dealerships providing loaner vehicles and leasing companies for larger trucks, not just traditional rental cars.

This shift means rental companies aren't *automatically* responsible for damages when one of their customers causes a wreck. Instead, you must seek compensation from the driver who caused the crash and their insurance coverage.

Why This Law Hurts Injured Accident Victims

The Graves Amendment sounds straightforward, but for those who have been injured in a crash, it can create devastating financial challenges. If the driver who hit you rented a car and

carries only minimal insurance—or none at all—the rental company gets a free pass while you're left struggling with the fallout.

We've represented clients in situations where:

- A driver rented a U-Haul truck without purchasing additional insurance and caused a collision.
- The driver's personal auto policy offered minimum liability limits that didn't come close to covering medical expenses.
- Because of the Graves Amendment, the rental company couldn't be pursued for compensation even though they owned the vehicle.

No one ever believes this kind of thing will happen to them, but these scenarios happen more often than you'd think. Unfortunately, too many people are left footing the bill for someone else's negligence. That's why we always (and strongly) recommend having underinsured motorist coverage on your own car insurance policy.

How Underinsured Motorist Coverage Protects You

Because the Graves Amendment limits your ability to sue rental companies, your own auto insurance can become one of your most important safety nets. In Texas and Oklahoma, underinsured motorist (UIM) coverage is critical after a crash involving a rental car or truck.

Here's why:

- **It Covers Gaps in Liability Insurance:** If the at-fault driver's insurance doesn't cover your full losses, UIM can step in.
- **It Applies to Rental Vehicle Crashes:** Whether you're hit by a Hertz car or a rented moving truck, UIM protection works the same way.
- **It Protects You and Your Family:** UIM coverage applies whether you're driving your own vehicle, riding with someone else, or even walking across the street when a rental driver causes a wreck.

Without UIM coverage, you risk being left without sufficient compensation if the at-fault driver is uninsured, underinsured, or driving a rented vehicle.

When the Graves Amendment Doesn't Apply

While the Graves Amendment provides broad protections for rental companies, there are situations where they can still be held liable. For instance, if the rental company's own actions contributed to the crash, you may have grounds to pursue them directly.

Common examples include:

- **Negligent Vehicle Maintenance:** If the rental company failed to maintain brakes, tires, or steering components, leading to a crash.

- **Improper Vehicle Leasing:** Allowing someone to rent a vehicle without a valid driver's license or while visibly intoxicated.
- **Criminal Conduct:** Any illegal actions by the rental company tied to the rental transaction.

Cases involving these exceptions are extraordinarily complex, but they can make a significant difference for accident victims who have been injured. That's why an immediate investigation by a [car accident lawyer](#) is so important, and why it's critical that you seek legal help right away if you find yourself in this type of situation.

How Hoover Rogers Law Fights for Crash Victims

Rental companies and insurers have teams of attorneys working to protect their bottom line. Our job is to level the playing field. When you hire Hoover Rogers Law, LLP, we:

- Investigate the crash and identify all potential sources of compensation
- Review every available insurance policy, including the driver's liability coverage and your UIM policy
- Determine whether the rental company's own negligence played a role
- Handle negotiations directly with insurers to demand the compensation you deserve
- Take the case to trial if that's what it takes to secure a fair outcome

With offices in Wichita Falls, TX, Lawton, OK, and Decatur, TX, we know how to navigate both Texas and Oklahoma personal injury laws and how federal statutes like the Graves Amendment interact with state insurance requirements.

What to Do After a Crash Involving a Rental Vehicle

If you're hit by a driver in a rental car or truck, taking the right steps can make a huge difference:

1. Call 911 and get a police report documenting the crash.
2. Gather information from the at-fault driver, including rental agreements and insurance details.
3. Document the scene with photos and witness statements if possible.
4. Seek medical attention immediately—even if injuries seem minor.
5. Contact a personal injury lawyer right away to start protecting your rights.

Remember, time matters after these crashes. Evidence disappears quickly, and rental companies may move fast to shield themselves from liability. That's why you shouldn't waste any time seeking legal help.

Protect Yourself Before an Accident Happens

The easiest way to avoid being stuck in a bad situation where you're injured and have no grounds to sue a rental car company is to make sure you have strong underinsured motorist (UIM) coverage on your own auto insurance policy.

You can't control whether someone driving a rented vehicle hits you, but you can protect yourself ahead of time. Review your auto insurance policy today to make sure you have strong underinsured motorist coverage. If you're unsure what's included in your policy, we can help you understand your options and explain why this coverage matters.

Hoover Rogers, LLP is Here to Help

Rental car accident cases are some of the most challenging personal injury claims because federal and state laws collide. At Hoover Rogers Law, LLP, we help injured victims across Texas and Oklahoma navigate these complex situations and fight for every dollar they deserve.

If you were injured in a crash involving a rental car or truck, don't wait. [Contact Hoover Rogers Law today](#) for a free case review. We're ready to explain your rights, investigate your case, and build a strategy to recover the compensation you deserve.