

What Should I Do If My Child Gets Injured In A School Bus Accident?

Child injury lawyer in Buffalo, NY explains what parents need to know

[Injuries to children](#) sustained in a [school bus accident](#) can have serious consequences. In an instant, a child riding a bus or walking to school can get hurt or suffer a fatal injury due to a crash involving a school bus. When this happens, it's critical that injured children receive immediate medical attention, including emergency medical care or surgery, if necessary.

Knowing what to do next in such situations can be overwhelming. Even knowing what your rights are as a parent of an injured child might not be clear. This is why it's important to talk with an experienced child injury attorney in your community as soon as possible. Otherwise, your family might not receive the compensation and support it needs and deserves.

How often do school bus accidents happen?

While accidents and injuries involving school buses are relatively rare, such accidents do occur and can result in serious injuries and fatalities. Statistically, the most common type of motor vehicle accident involving a school bus or other school transportation vehicle is a rear-end collision.

Each year, an estimated 120 deaths and numerous injuries occur involving school-transportation-related crashes, according to the [National Highway Traffic Safety Administration \(NHTSA\)](#).

Many crashes involve school buses transporting children to or from school. Sometimes, injury victims are children riding on the school bus. But many times, injury victims are children walking to school who are struck by a school bus.

In addition, anyone else on the road can sustain serious injuries or die in a crash if they get hit by a school bus. School buses are significantly larger and heavier than most vehicles on the road and can cause serious accidents that result in severe injuries.

Why do school bus accidents happen?

Accidents involving school buses and other school transportation vehicles occur for many different reasons. Sometimes, it's the school bus driver's fault. Other times, another driver might be to blame. Common causes of accidents involving school buses include:

- Distracted driving, including texting while driving
- Poor visibility, especially in cases involving school bus stop accidents, in which children are hit while waiting for a school bus to arrive
- Speeding, whether it's the bus driver or someone else operating another vehicle at a high rate of speed

- Drivers who illegally pass a stopped school bus and hit the bus or a child crossing the street, entering or exiting a school bus
- Reckless driving, including drivers who weave in and out of traffic, follow too closely, or change lanes without warning
- Inexperienced school bus drivers hired by the school district or the school bus company

Whatever the circumstances of your school bus accident, make sure you take your injuries seriously right from the start. You can talk to an experienced injury attorney who can review the details of your case and explain the legal options available to you.

What are common school bus injuries?

Injuries sustained by children in accidents involving school buses can cover a wide range, such as:

- Head injuries, including concussions and other traumatic brain injuries (TBIs). These types of injuries are especially common among children riding a bus or children struck by a school bus while walking to or from school.
- Neck injuries, including whiplash, especially if the child was riding the bus and the large vehicle was involved in a crash with another vehicle.
- Back injuries, including spinal cord injuries.
- Broken bones, including bone fractures in the arms, hands, legs or feet.
- Internal injuries, including internal bleeding and organ damage (e.g., kidney damage, liver lacerations, punctured lung, etc.)

These are just some of the injuries children can sustain if they get hit by a school bus or they're involved in a crash while riding the bus as a passenger. Many other injuries are common. In each case, it's critical that the injured child receives immediate medical attention. Many injuries can be life-threatening and can result in a permanent disability or a fatality if not treated right away at an emergency room hospital or another medical facility.

Who is liable for a school bus accident?

Liability is a legal term that refers to who is legally responsible for compensating someone in the event of an accident. Each state has different liability laws. That's why it's important to understand how the legal system works in your particular state.

New York has a "no fault" insurance system when it comes to motor vehicle accidents. This means you can pursue financial compensation from your insurance company in most cases, regardless of which driver was at fault. If you own a car, your no-fault insurance should cover your child not only when they're riding in your car, but also when they're on foot or riding the bus.

However, there are many exceptions to New York's "no fault" insurance system where the injured person can file a third-party claim against an at-fault driver. As a result, if your child sustained an injury due to a school bus accident in New York, several parties may be responsible for compensating you for your child's injury-related expenses. This includes:

- The at-fault driver who caused the crash
- The school district that employs the bus driver
- The school bus transportation company the driver works for if the school district has a contract with an outside company to provide bus transportation

Strict legal deadlines can apply in this situation, especially if the at-fault party is a government entity like a school district. This is why it's important to take immediate action and contact a lawyer if your child gets hurt as a result of an accident involving a school bus.

What should I do if my child was injured in a school bus accident?

If your child was hurt in a crash involving a school bus, make sure you take certain steps right away to protect your rights and your child's well-being.

- Make sure your child receives immediate medical attention. Many injuries can be life-threatening and may require emergency room care or surgery.
- Document your child's injury right away. Take pictures or videos of your child's injury, if possible.
- Contact the police department that investigated your child's accident and ask for a copy of the official accident report. In New York, this report is officially called a [New York State Department of Motor Vehicles Police Accident Report](#).
- Do not discuss your child's accident or post anything on social media about your child's injury. Anything you say could be used as evidence to reduce or deny your child's injury claim.
- If an insurance company contacts you about your child's injury, do not talk to them without talking to an attorney first. Again, anything you say could later be used against you.
- Promptly contact a child injury lawyer. Strict time limits apply to file a no-fault claim and to file a notice of claim against a school district following a school bus accident involving injury to a child. The no-fault application is due in 30 days of the accident and the notice of claim against a school district or municipality is due within 90 days of the accident.

How can a child injury attorney help me?

You might think you don't need a lawyer if someone else clearly caused the accident that injured your child. Unfortunately, these types of cases can turn out to be very complicated from a legal standpoint due to the high cost of the injuries that are often sustained by the child and the strict deadlines involved with filing a no-fault claim.

The experienced legal team at [The Law Offices of James Morris](#) in Buffalo, NY can help you every step of the way – from analyzing your accident report to consulting with accident reconstruction experts, if necessary. We also know how to negotiate effectively with the at-fault party's insurance company and fight for the compensation your child deserves. This is why we have such a strong track record for securing sizable settlements and verdicts for injury victims and their families in Buffalo and throughout Western New York.

To learn how we can help your family after a school bus accident, [contact](#) our law firm and schedule a [free case evaluation](#) with a child injury attorney in Buffalo today.

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