

Collision Related Engine and Drivetrain Damage Claim

During the recent past, VCE, Inc. has worked on several claims involving damage to engine components and transmission systems that were allegedly caused by a previous collision. In the majority of these cases, the investigation showed that these conditions were not related to the collision.

In one case, the insured had been involved in a minor front-end fender bender, and some months later, produced written estimates for a rebuilt transmission and a long block engine repair. These estimates were written by a local company that had at least two shops in Nashville, TN. When VCE, Inc. visited the transmission shop, the manager said he had told the vehicle owner that it was POSSIBLE that the damage was caused by the collision, but would not be able to determine that until the transmission was torn down. VCE then visited the engine shop and found that this

manager had never seen the car, but had made his estimate based on the transmission shop manager's determination.



In another case, the insured rear-ended another vehicle. Sometime later, the insured claimed the engine damage was due to the collision. The owner of the other vehicle claimed transmission damage that was due to the collision. VCE's investigation found the engine damage of the first vehicle was due to long standing neglect.

The second vehicle's transmission was disassembled and found to be suffering from normal wear and tear.

On occasions, investigations DO reveal that collision related damage does exist. In one case, the vehicle was setting still with the transmission in "park" when a rather light rear-end impact caused significant damage to the transmission of this foreign car. But as stated earlier, the majority of the cases turn out to be not related to the collision.

Anytime that a period of time passes between the collision and the alleged mechanical problem, there is cause for **a second look.**

Slip or Stumble Fall

She fell down outside steps which were wet from rainfall; were the steps and/or surface inadequate or was she negligent? He fell in an indoor parking garage; was there insufficient lighting and/or inadequate curbing and walkway markings or was he impaired or inattentive? She stumbled and fell on a public walkway; were surface irregularities significant enough to cause or contribute to the accident or were her shoes and/or inattentiveness responsible? A person who was not impaired by a physical handicap stumbled and fell at the edge of a public sidewalk/curb which did not have the type markings detailed by the Americans With Disabilities Act; did the lack of prescribed markings or actions by the person cause the accident?

The investigations cited above

and other similar questions have been resolved by analysis, interpretation, and expert witness testimony regarding Standard and CABO building codes, prevailing building practices, NFPA codes, ADA standards, NPA standards and various industry recommended practices and standards. The questions as to when the building was constructed and whether a building code had been adopted and was in effect have been important in resolving the issue. The intent of the code requirement has also been significant. Lighting and friction factor and slippage determinations and measurements have also

been used. The answer to what building practices prevail in the area and like areas have also been useful toward legal decisions and resolution by financial settlements. In one case an interpretation of the 1938 edition, available to VCE, Inc., of the complete paragraph rather than only the cited part from the Building Exits Code from NFPA allowed the desired resolution of the legal action.

Forensic investigators from VCE have access to and the expertise to interpret and provide expert witness testimony if needed regarding building codes, and accepted practices and standards. Also any required testing and measurements are provided but only as needed.

by Earl C. Hutchison, P.E.

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VCE, Inc. Areas of Forensic Expertise



Earl C. Hutchison, P.E. - Forensic Engineer

William I. Price, P.E. - Blasting Damage

Dr. Dale A. Wilson, Ph.D., P.E. - Metallurgy

Todd O. Hutchison - ACTAR Accredited
Traffic Accident Reconstructionist

Joe Gallagher - Truck Specialist

William H. Greene, P.E. - Sign Specialist

William E. DeWitt, P.E. - Electrical Engineer

James B. Carson, P.E. - Electrical Engineer

Dewey Griffin - Electrical Accident & Fire C&O
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Carl Hudson - Roof Specialist

Herb Stewart - Product Specialist

Clarence E. Bennett, P.E. - Civil Engineer

Test Your Accident Reconstruction Skills

Why do low beam light filament coils shatter easier from
the force of a collision than high beam filament coils?

Answers to July/August 1999 Issue:

What is the significant difference between a skid mark and a yaw mark?

A skid mark is made from a locked wheel skidding over a surface and a yaw mark is made
from a rotating wheel side sliding over a surface.



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