

# Defective Tires Accident Lawyer

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In 1966 Congress enacted the National Traffic and Motor Vehicle Act, which empowered the National Highway Traffic Safety Administration (NHTSA) to create and enforce basic vehicle safety standards. The law is intended to prevent vehicles from having characteristics that present an “unreasonable risk of accidents occurring.” Since then, the NHTSA has recalled more than [46 million tires](#) for failing to meet those standards. In some of these cases, manufacturers voluntarily initiated the recall process when they realized something was wrong. But all too often, the tire defects leading to recalls are not apparent until accidents begin to occur.

If you’ve been injured in an accident in California and suspect that defective tires may have been to blame, contact a [California car accident lawyer](#) to investigate your case. ***At Johnson Attorneys Group, we help defective tire victims understand their rights and get the compensation they deserve. If you would like to discuss your case, call us for a free consultation at 800-208-3538.***

## Common Types of Tire Defects

There are several reasons a tire might be defective. Sometimes the design is inherently flawed. In other cases, manufacturing defects occur that cause the finished product to deviate from the intended design. The most common defects are:

- **Tire Tread Separation:** “Tire tread” refers to the outermost layer of the tire that comes into contact with the road. It can be extremely dangerous if this layer “detreads” from the rest of the tire because it eliminates traction with the road. This problem is very common in commercial big-rig trucks – if you’ve driven a significant amount on highways you’ve probably noticed that the road is occasionally littered with tire tread. But, this is a problem that also occurs in other vehicles that have poor tire design.
- **Tire Blowout:** A blowout, or rapid loss of air pressure caused by a bursting tire, can be caused by a poor design or a manufacturing defect. Blowouts are common when tires are over or underinflated when traveling at a high speed when there has been extreme temperature fluctuations, or when the tire has been stressed by poor road conditions. When a tire blowout occurs, maintaining control of a vehicle becomes very difficult. Tire blowouts are particularly dangerous because they happen in an instant, giving no forewarning and leaving drivers with little time to react.
- **Defects in the Sidewall:** A tire’s sidewall provides lateral stability to the tire, protects the internal layers of the tire, and prevents air from escaping near the rim. If the sidewall fails to do any of these things, the tire will lose stability. In the worst cases, sidewall defects can lead to a tire blowout.
- **Other Manufacturing Defects:** There are nearly a dozen different parts that come together to make a modern tire. If any of these are structurally flawed or they are put together poorly, the result could be an accident on the road. There is a wide variety of human and mechanical errors in the manufacturing process that could cause a tire to be defective.



## Claims That Can Be Made Against Tire Manufacturers

There are three legal theories that can be used to prove liability against a manufacturer of defective tires. These theories are:

1. **Defective Product:** Manufacturers are “strictly liable” when they place a defective product on the market knowing that it will be used by consumers without close inspection for defects and an accident occurs as a result. The elements of a defective product claim that a plaintiff must prove are: 1) that the product was used in the intended or a reasonably foreseeable manner; 2) that the product was in defective condition when it left the defendant’s possession; and 3) that the defective product was the legal cause of the harm.
2. **Tire Manufacturer Negligence:** Tire manufacturers have a duty to act with reasonable care when they produce and sell tires. A negligence claim can be made whenever a manufacturer failed to do this and harm is caused as a result. This claim is thus based on the conduct of the defendant.
3. **Breach of Warranty:** An “express” warranty is a definite assurance made by a manufacturer. It is a statement of fact that consumers are intended to rely on, such as that a tire will perform for a certain number of miles. An “implied” warranty, meanwhile, arises by operation of law regardless of what a manufacturer has said. All tires sold in California have an implied “warranty of merchantability” which holds that the tires are fit to be driven in the manner intended.

Importantly, in California, manufacturer liability under theories of defective product or negligence extends to all persons that the supplier should expect to use the tires as well as to foreseeable bystanders. This means virtually

anyone harmed by defective tires can bring these claims.

## **Experienced Personal Injury Attorneys Help Accident Victims Get Justice**

*If you have been injured due to defective tires, you may be entitled to compensation* under one or more of the theories above. This compensation includes things like medical costs, lost income, and pain and suffering. An [experienced personal injury attorney in California](#) can help you get the compensation you deserve.

Tire manufacturers and insurers will often contest liability. A tire defect lawyer will understand what evidence needs to be gathered, will be able to negotiate an adequate settlement effectively, and will know how to present a case in court if a settlement cannot be reached.

### **If You've Been Injured Due to a Defective Tire, Contact Johnson Attorneys Group Today to Discuss Your Case**

Johnson Attorneys Group is dedicated to getting justice for victims of tire defect accidents. We are well versed in [product liability law](#), care about each of our clients, and have experience with these types of cases. [Contact us](#) today at 800-208-3538 to schedule a free consultation.