



Yale Haymond Law PLLC Reveals How Contributory Negligence Affects North Carolina Uninsured Motorist Claims

October 09, 2026

CHARLOTTE, NC - October 09, 2026 -

Yale Haymond Law PLLC explains how North Carolina's contributory negligence rule can affect an injured driver's claim after an uninsured-driver accident, a topic that matters more now that state law requires higher minimum coverage on auto policies. The Charlotte personal injury firm says the rule can decide whether a claim succeeds even when a policy includes uninsured motorist protection, because fault is weighed alongside coverage.

The coverage side of the issue changed on July 1, 2025. According to the North Carolina Advocates for Justice, all new and renewed auto liability policies issued on or after that date, except those covering solely commercial motor vehicles or solely fleet vehicles, must include uninsured and underinsured motorist bodily injury protection at limits matching or exceeding the new minimums of \$50,000 per person and \$100,000 per accident, along with \$50,000 in uninsured motorist property damage coverage. The previous minimums were \$30,000 per person, \$60,000 per accident, and \$25,000 for property damage. Under the revised rules, North Carolina uninsured motorist coverage is tied to those higher figures, so a policy with only the minimum limits now includes at least \$50,000 in this protection. The association also reports that the legislation changed how

underinsured motorist coverage is calculated, measuring underinsurance against total damages rather than the at-fault driver's policy limits.

The fault side of the issue has not changed. North Carolina follows a contributory negligence rule, which can bar recovery in a personal injury claim when the injured driver is found partly responsible for the crash. Under the rule, shared fault does not simply reduce a payment. Depending on the facts, it can prevent recovery altogether. Limited exceptions exist, including the last clear chance doctrine and the other party's gross negligence.

The two issues meet during the insurance claim itself. The injured driver typically pursues uninsured motorist coverage through their own insurer, which usually investigates the accident, injuries, and claimed losses before deciding what it will cover. According to the firm, an insurer's allegation that a driver contributed to a crash does not by itself establish that the driver did. The available evidence must be examined to determine whether the allegation is supported. Details such as speed before the collision, statements made at the scene, and the sequence of events can all become relevant when fault is evaluated.

For that reason, documentation carries weight. Yale Haymond Law PLLC points to several records that can help show what happened, including the police report, photographs of the vehicles and road conditions, contact information for witnesses, repair estimates, medical bills, and medical records. The firm also advises against apologizing or debating fault at the scene, since remarks can later be read as accepting responsibility. If the other driver says they have no insurance, share that information with the responding officer. A medical evaluation soon after a crash can also document when symptoms began, because some injuries do not appear right away.

Pursuing the at-fault driver directly is another option, though the firm notes that a judgment against an uninsured driver creates an obligation to pay but does not guarantee collection. If the driver lacks sufficient assets, a lawsuit may produce little compensation even after a favorable outcome. An attorney can review available insurance policies, accident evidence, and other possible sources of recovery to help determine which options are practical.

Drivers whose insurers deny an uninsured motorist claim or allege shared fault can request the reason for the decision and keep any denial notice and related correspondence, according to the firm. An attorney can then compare the insurer's explanation with the policy terms and the accident evidence. The firm adds that outcomes depend on the facts of each case.

Yale Haymond Law PLLC is a Charlotte-based personal injury firm serving clients in North Carolina and South Carolina. Founded by Yale Haymond, a former insurance defense attorney who now represents injured people, the firm handles car accident, truck accident, motorcycle accident, drunk driving, distracted driver, and wrongful death matters, along with other personal injury claims.

###

For more information about Yale Haymond Law, contact the company here: Yale Haymond Law
Yale Haymond (704) 800-4357 Yale@YaleHaymondLaw.com 7401 Carmel Executive Park Dr Ste 115, Charlotte, NC 28226, United States

Yale Haymond Law

As a personal injury attorney, Yale Haymond Law is committed to helping those injured in car, truck, and motorcycle accidents.

Website: <https://yalehaymondlaw.com>

Email: Yale@YaleHaymondLaw.com

Phone: (704) 800-4357

