

# Why Preserving Trucking Company Records Quickly Matters After a Crash

## A New Mexico Truck Accident Lawyer Who Knows How to Build Strong Cases

When a fully loaded tractor-trailer hits a passenger vehicle, life can change in the blink of an eye, but the evidence that explains why that crash happened often starts disappearing just as quickly. While you're in an ambulance, a hospital bed, or at home trying to figure out how to get through the next day, the trucking company and its insurance provider may already be working behind the scenes to control the information that will decide who can be held accountable.

[Szantho Law Firm](#) has seen again and again that New Mexico [truck accident](#) cases aren't driven just by what shows up in the police report. The real story often lives inside company servers, ECM/black box data, and driver files that can be overwritten, purged, or "lost" in days or weeks unless someone steps in to stop that from happening. If you wait too long, it's a bit like trying to reconstruct a fire after the ashes have been swept away.

## What Makes Truck Crash Evidence So Different

Truck claims don't rise or fall only on photos of the scene and a few witness statements. Modern commercial vehicles are rolling data centers, and the companies that operate them are required to keep detailed safety and operational records.

In a serious truck collision, there are three broad categories of evidence:

- At-scene proof like the police report, photographs, measurements, and debris patterns
- Human proof like the truck driver's statement, passenger and eyewitness accounts, and officer observations
- Corporate and digital proof controlled almost entirely by the trucking company and its vendors

It's that third category that often decides whether an injured family gets answers or is left with a watered-down story that favors the carrier. Those records show how long the driver had been on the road, how fast the truck was moving, whether the vehicle was safe to begin with, and what kind of pressure the company put on the driver to deliver on time.

## Which Trucking Company Records Matter Most After a Crash

One of the first things we do when we're hired in a serious truck case is send a detailed preservation demand that targets specific categories of evidence the trucking company may prefer we never see. Each of these record types helps answer a different part of the "how and why" behind the crash. Here are some of the most important.

### Electronic Logging Device Records and Hours of Service Logs

These records track when the driver went on duty, when they started and stopped driving, and whether they took the breaks required by federal hours of service rules. They help us see if the driver was pushing past legal limits, skipping rest, or editing logs to look compliant on paper while staying on the road in reality.

### **Truck Black Box or ECM Data**

The truck's event data recorder and engine control module capture details like speed, brake use, throttle position, and sometimes seatbelt status in the seconds before and after impact. This digital "hidden witness" can show whether the driver tried to brake, how fast they were going, and whether their story matches the physics of the crash.

### **Dash Cam and Onboard Video**

Many fleets now run forward-facing and inward-facing cameras that record the road ahead and the driver inside the cab. Outward cameras can show following distance, lane position, and traffic signals, while inward cameras can reveal distraction, drowsiness, or outright rule-breaking behind the wheel.

### **Maintenance and Inspection Files**

These records include daily inspection reports, scheduled service entries, repair orders, and documentation of any "out of service" findings. They can show whether the carrier ignored worn brakes, bad tires, steering issues, or other dangerous defects that made a serious crash more likely.

### **Driver Qualification File**

Federal regulations require motor carriers to maintain a driver qualification file with the driver's application, motor vehicle record, prior employer checks, medical certification, and drug and alcohol testing information. If a company hired or kept a driver despite repeated safety violations or prior crashes, that file may tell the story.

### **Dispatch, GPS, and Communication Records**

Trip sheets, GPS histories, internal messaging apps, and email chains can reveal how loads were scheduled, whether the driver was running behind, and what kind of pressure dispatch was applying. This is often where we see a company's "real priorities" come into focus.

### **Safety Policies and Violation Histories**

Safety manuals, training materials, internal audit reports, and Federal Motor Carrier Safety Administration (FMCSA) [violation histories](#) help show whether the crash was a freak event or the predictable result of a pattern the company chose not to fix.

### **Why Do These Records Disappear So Quickly?**

Most people are surprised to learn that federal rules don't require trucking companies to hold on to certain digital records very long at all. The FMCSA allows carriers to [dispose of many hours-of-service records after six months](#), and important electronic data can vanish even faster under routine system settings.

Several forces work together to erase the very proof you need:

- **Short Digital Retention Cycles:** ELD records and supporting documents are typically only required to be kept for six months, and some systems purge logs even faster unless someone places them on hold.
- **Automatic Overwrite of Black Box and Video Data:** ECM and camera systems often overwrite old data when memory fills up or when the truck goes back into service. In some cases, black box data can start disappearing within days or weeks if it isn't downloaded and secured.
- **Repairs, Salvage, and Return to Service:** Once the truck is hauled away, it may be repaired, stripped for parts, or sold. Each of those steps can change or destroy physical components and the electronic modules attached to them.
- **"Routine" Document Purges:** Carriers frequently purge older dispatch messages, GPS logs, and internal communications under their normal data-retention policies, especially if nobody has put them on notice that litigation is coming.
- **Human Choices and Bad Faith:** In some cases, companies or individual employees may intentionally delete, alter, or "lose" damaging materials in a practice the law refers to as spoliation of evidence.

### **What Is a Spoliation Letter and How Does It Protect My Case?**

The law gives crash victims a powerful tool to slow this evidence clock down. A spoliation letter, sometimes called a preservation of evidence letter, is a formal notice that tells the trucking company, its insurer, and often any third-party data vendors that we intend to pursue a claim and that they must preserve specific categories of evidence related to the collision.

Sent quickly and drafted with precision, this kind of letter can change the posture of a case. It does several important things at once:

- It clearly identifies the crash, the vehicles, and the parties involved, leaving no doubt about what must be preserved.
- It lists the exact records and data sources that need to be protected, including ELD logs, ECM data, dash cam footage, driver qualification files, maintenance records, dispatch communications, and post-accident inspection materials.
- It puts the company on notice that destroying, altering, or "losing" these materials after receiving the letter may expose them to court sanctions and adverse inferences later on.

Once a trucking company receives a proper spoliation letter, it can no longer credibly claim that any later destruction of evidence was just business as usual. Courts recognize the difference

between negligent loss and intentional spoliation, and juries often pay attention when they hear that important proof was destroyed after a legal hold was in place.

## **How Preserved Records Strengthen Liability and Damages**

Securing trucking company records directly affects whether we can clearly [prove liability](#), show the depth of the company's safety failures, and connect those failures to the full scope of your injuries and losses.

When we have timely, intact records, several things become possible:

- **We Can Reconstruct What Really Happened:** Black box data and dash cam video can show the truck's speed, braking, and lane position in the seconds leading up to impact, allowing reconstruction experts to explain whether a reasonably careful driver could have avoided the crash.
- **We Can Link Company Choices to the Crash:** Patterns in ELD logs, maintenance records, and dispatch communications can reveal a culture of pushing drivers too hard or cutting corners on safety to keep freight moving, turning a "simple accident" into a story about long-term decisions.
- **We Can Counter "Blame the Victim" Strategies:** Objective digital evidence can undermine defenses that try to shift fault to the injured driver by showing that the truck was speeding, following too closely, or operated by someone who had no business being behind the wheel in that condition.

## **How Our Firm Works to Protect the Evidence and Your Future**

At Szantho Law Firm, we treat evidence preservation in truck cases as an urgent mission rather than a paperwork chore. The moment we're retained, our team begins identifying all potential data sources, from the truck itself to the company's internal systems and any third-party vendors that store telematics or camera footage.

If you or someone you love has been injured in a crash with a commercial truck, you shouldn't have to wonder what's happening to the records and data that could explain why it happened. You've got enough to manage already. Our firm can step in, move quickly to preserve trucking company records, and start building a case that reflects what you've truly lost and what accountability should look like in your situation.

[Contact us](#) to talk about your options or to ask specific questions about preserving evidence after a truck collision. Consultations are free and there are no upfront fees for our services if we take your case. A conversation about your rights can be the first step toward protecting both your recovery and the truth.