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NOVEMBER 2022  
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FEAUTURED ARTICLE

## My Airbags Did Not Deploy: Who is at Fault?



## The Legal Scoop

An Exclusive Publication From Yosha Law

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172  
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100+  
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VERDICTS BEATING  
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RECOVERED IN  
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98%

SUCCESS RATE IN  
BEATING AN INSURER'S  
FINAL OFFER

4x

AVERAGE WE BEAT THE  
INSURER'S FINAL OFFER







## Why Do I Need An Attorney if My Airbag Didn't Deploy?

It's nearly impossible to prove defective product liability on your own. Several things need to be proven for the case to be won.

An experienced attorney will help gather the facts in your case, identify the liable party, and fight to win fair compensation for your injuries.

This compensation could include emotional distress, pain and suffering, medical costs, and lost wages.

Even if you're not certain you have a case, always contact an attorney to be sure.



## My Airbags Did Not Deploy: Who is at Fault?

You assume that safety features in your car will work as predicted whenever they're needed. In the case of airbags, that might not be true. In fact, in 2021, an estimated 14 million cars in the US alone had faulty airbags manufactured by Takata. These airbags can be found in many makes and models of vehicles, including Honda, Toyota, Ford, and Nissan. Beginning in 2015, Takata started a widespread recall of nearly 34 million affected vehicles, but many of these remain on the road.

For Takata airbags, the issue involved faulty inflator mechanisms. These defective devices caused airbags to deploy with excessive force, sending shards of the metal canister into the car's passenger compartment. This is an example of one way, but certainly not the only way, an airbag can fail a driver and passengers. Other ways airbags can fail include deploying unnecessarily, deploying too slowly, or not deploying at all.

Per the NHTSA, airbags have saved nearly 50,500 lives. But where do you turn when your airbag fails? If your airbag didn't deploy, who is at fault?

### Airbag deployment

Airbags have been standard in all passenger cars manufactured from 1998 to the present. In larger vehicles, such as vans, pickup trucks, and SUVs, this safety equipment became standard in 1998. This means that all new vehicles have at least frontal airbags, and many also offer side airbag protections as well. Unfortunately, these protections don't always guarantee safety in a crash.

### How does an airbag work?

Airbags are hidden behind special break-away panels marked SRS (or Standard Restraint System). Airbags have an electronic control unit that senses a crash and sends a signal to an inflator inside the device. This signal immediately triggers an ignitor which initiates a chemical reaction. This reaction produces a harmless gas, causing the airbag to deploy. As it deploys, it breaks through its panel and fills the passenger compartment of your car.

### How fast do airbags deploy?

According to studies, airbags deploy within 55 milliseconds, quite literally the blink of an eye. It's estimated the airbag travels at 200 miles per hour as it deploys. Once deployed, the airbag quickly deflates on its own.

### Not wearing a seatbelt when your airbag deploys can cause injury in several ways:

- Occupants can still be ejected from the vehicle
- Occupants will be forced forward and into the path of the deploying airbag
- Occupants will not be restrained from impact with other parts of the car or each other

### Airbag Injuries

With speeds of 200 miles per hour on deployment, the airbag can cause injuries to the occupants of the car. The most common airbag injuries include:

- Abrasions and lacerations
- Bruising
- Bone breaks and fractures
- Lung irritation
- Sprained fingers or wrists
- Whiplash
- Facial injury
- Burns to face, neck, and arms

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### How can an airbag cause injury?

The largest percentage of airbag injuries are caused by occupants not sitting properly in the vehicle. This includes sitting too closely to the steering wheel, not wearing a seatbelt, improper tilting of the steering wheel, passengers placing feet on the dashboard while the vehicle is in motion, and improper hand positioning on the steering wheel.

Additionally, airbags can be accidentally turned off or, in the case of a small child, left on. Rear-facing child seats placed in the passenger seat can also result in serious injury.

### Seatbelts increase airbag safety

There are ways to protect yourself from airbag injuries during a crash. The most important way is to make sure you use a seatbelt.

Airbags are designed to be part of a total safety feature package, including seatbelts. While airbags will deploy whether you are wearing a seatbelt or not, they are not enough to protect the vehicle's occupants during a crash.

Read more at: <https://yoshalawfirm.com/blog/>

## Time Could Run Out on Your Indiana Personal Injury Claim

If you've been hurt by someone else's negligent actions, chances are you've already got a lot on your plate with your recovery, juggling your bills due to lost income and budgeting for thousands of dollars of unplanned medical expenses.

But be warned—the clock is already ticking. Although the last thing you want is the additional headache of filing a claim while trying to regain your balance, waiting to file can cost you big time. Every state has a statute of limitations for personal injury claims, and Indiana sets this limit at two years. Let's take a closer look at the statute of limitations in Indiana, including exceptions to the rule.



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### What's a Statute of Limitations?

A statute of limitations, also known as a prescriptive period, is a law governing the time limit that a plaintiff has to file a claim against another party.

In Indiana, the statute of limitations for filing a personal injury claim is two years from the date of the incident. This statute covers filing for injuries as well as property damages. Filing even one day past this time limit will usually result in your case's dismissal.

While these statutes seem arbitrary on the surface, a statute of limitations makes good sense. It is a way of protecting individuals and maintaining the integrity of the case. These laws:

- **Keep evidence fresh:** The more time passes between an incident and filing the claim, the less clear the memories surrounding the incident will be. Witnesses will forget what they saw, and no matter how clearly you recall the events now, your memories will fade as time passes. A willing witness at the scene will be less likely to come forward on your behalf if too much time passes. Or that witness may become unable to testify if they move or become incapacitated.

Read 2 more reasons at: <https://yoshalawfirm.com/blog/>

## Our Success Stories

### \$5 Million

Motor Vehicle Accident. A passenger in a vehicle driven by a friend who wanted to demonstrate the speed of his new car. The driver hit a curb, and the passenger suffered a traumatic brain injury.

### \$20.3 Million Verdict

\$20,325,000 verdict against a Fortune 500 energy company following a near-fatal electric shock injury that occurred at the company's power plant in Petersburg, Indiana

### \$3.2 Million

Motor Vehicle Accident. Our client was a young child who was a passenger in the backseat of a vehicle struck by another car. The child's head flew into the back of the seat in front of him. The child suffered from a permanent mild traumatic brain injury.