

# What Evidence Proves A Florida Driver Was Distracted Before A Crash?

## Evidence That Can Expose Distracted Driving After a Florida Collision

[Distracted driving accidents](#) in Florida happen at an alarming rate. They also often seem like straightforward accidents at first, even though they don't always end up that way when victims try to file a claim. Another [driver was texting](#) or otherwise distracted, resulting in a serious collision, so obtaining compensation for your losses should be easy, right?

Unfortunately, many claims involving distracted driving crashes aren't straightforward. Sometimes, it's because the other driver denies doing anything wrong. Other times, it's the distracted driver's insurance company that's the problem.

That's why you must have strong evidence in support of your distracted driving injury claim or lawsuit. But what evidence matters when it comes to distracted driving accidents? And how does evidence help build a strong legal case? Our Tampa distracted driving accident attorney at [Armando Personal Injury Law](#) explains.

## What types of evidence are available for distracted driving accidents?

Proving that a distracted driver caused your collision often involves gathering solid evidence in support of your case. You need proof that the other driver wasn't focused on driving at the time of your collision. Common types of evidence often used in support of distracted driving claims in Florida include:

- **Cell phone records** showing calls, texts, or app activity at the time of the crash.
- **Dashcam footage** from your car or another vehicle.
- **Video surveillance** footage from nearby businesses or traffic cameras.
- **Eyewitness testimony** from people who saw the driver using their phone or not looking at the road at the time of your collision.
- **Vehicle data (EDR or telematics)** showing sudden braking or lack of evasive action.
- **Social media activity** with timestamps matching the crash.

A skilled Florida distracted driving accident lawyer can identify the best sources of evidence for your case and move fast to obtain and preserve such evidence before it's lost, destroyed, or disappears.

## How can phone records prove distracted driving?

Phone records are among the most powerful tools in distracted driving investigations. They can show call logs, text timestamps, and data usage activity that corresponds with the exact time of the crash. In Florida, these records must usually be subpoenaed by a lawyer during a lawsuit or accident investigation.

Cell phone records can provide:

- **Outgoing and incoming call logs:** Proving the driver was on the phone when the accident occurred.
- **Text message timestamps:** Showing messages sent or received near the time of the crash.
- **Data usage records:** Indicating the use of apps like Instagram, TikTok, or Google Maps.

Even if the message's actual content is not released, the timestamps can be sufficient to show that driver distraction occurred at the time of the crash.

## What role do dashcams play in distracted driving claims?

[Dashcams](#) mounted inside a car can capture what the driver was doing right before or during a collision. These devices may record the driver's hands, head movement, and facial direction – all of which can demonstrate that the driver was not focused on driving when the crash occurred. Dashcams can also:

- Capture the moment of impact.
- Show if the driver looked down or away moments before the accident.
- Record passengers who may have distracted the driver.
- Provide audio evidence of conversations or music.

Video footage from your own dashcam or from nearby vehicles may also help, so it's important to act quickly to preserve it before another driver erases it.

## Can app usage logs prove a driver was distracted?

Yes. In today's world, many drivers are often distracted by apps on their phones, not just texts or calls. Navigation apps, music streaming, social media, and even games have all contributed to serious crashes. Some apps log when they were accessed and what features were used.

App usage logs can show:

- When a driver opened or used an app (Spotify, Waze, Snapchat, etc.).
- Whether they were interacting with the app just before or during the crash.
- Patterns of frequent usage while driving.

This type of digital evidence often requires subpoenas or forensic phone examinations. But once obtained, it can be powerful evidence of negligence in a car accident claim or courtroom trial if an injury victim files a distracted driving lawsuit.

### **How do vehicle telematics and infotainment systems track distraction?**

Modern cars record a surprising amount of data. Telematics systems (the same technology used for fleet tracking and insurance monitoring) in many vehicles log the speed, braking, GPS location, and even steering input. Infotainment systems may store recent commands, such as radio tuning, hands-free calls, or screen touches.

This data can help show:

- Erratic braking or swerving consistent with distraction.
- Speeding or rapid acceleration.
- Failure to brake before impact.
- Accessing in-vehicle apps or screens at the time of the crash.

Vehicle manufacturers or fleet managers may store this information for weeks or months. But obtaining such electronic data isn't always easy. This is why it's important to have an experienced Tampa distracted driving accident lawyer working to obtain such information as soon as possible.

### **What can eyewitnesses reveal about a distracted driving crash?**

Eyewitness testimony can be key in many distracted driving claims. A person who witnessed the crash may report that the at-fault driver was holding a phone, looking down, reaching into the passenger seat, or otherwise distracted.

Witnesses can testify to:

- Driver behavior before and after the crash.
- Whether the driver braked or swerved before the collision.
- What they saw in the seconds leading up to the impact.
- Other distractions like pets, food, or passengers.

Obtaining witness statements requires skill and experience in speaking with people about traumatic events. Knowledgeable car accident lawyers know how to locate witnesses and what questions to ask when interviewing them.

### **How much time do I have to gather evidence for a distracted driving accident?**

Time is critical after a distracted driving crash. Florida law sets strict deadlines for taking legal action. And if you wait too long, you could miss out on your opportunity to obtain such evidence and file an injury claim or lawsuit.

In general, such deadlines include:

- **The statute of limitations (deadline) to file a car accident lawsuit in Florida is two years** from the date of the accident. If you don't file your claim by then, you may be barred from obtaining any compensation.
- **Video surveillance and dashcam footage may be deleted** in as little as 24 to 72 hours unless someone (often a lawyer) specifically asks to have such evidence preserved.
- **Cell phone companies only keep detailed records for a limited time.** Subpoenas may be required to access this data.
- **Witnesses' memories fade**, and it becomes harder to track them down the longer you wait to try to contact them.

That's why it's important to speak with a lawyer right away. A skilled Tampa distracted driving accident lawyer can send preservation letters to prevent evidence from being destroyed and begin investigating the collision immediately.

### **What if the driver denies being distracted?**

Many distracted drivers don't admit fault. They may claim they weren't using their phone or insist they were fully focused. That's where hard evidence becomes essential in such cases.

Your legal team can challenge the driver's version of events using:

- Cell phone data showing call or text activity.
- App usage records showing the driver was using social media or streaming.
- Dashcam or traffic camera footage showing eyes off the road.
- Vehicle data indicating delayed reaction times.

Insurance companies often won't take your word for it. They often demand proof of driver distraction. That's why skilled attorneys gather every possible piece of evidence to show what really happened – and why injury victims deserve full compensation.

### **Why do I need a Florida distracted driving accident attorney?**

Distracted driving cases are often won or lost on evidence. Without the right records and documentation, such cases can quickly become your word against theirs – and their insurance company will often take their side in an attempt to avoid having to pay you.

An experienced Florida car accident lawyer can level the playing field in many different ways, including:

- Gathering evidence through an independent accident investigation.
- Reviewing the evidence in detail with accident reconstruction experts.
- Looking for inconsistencies between the evidence and what the at-fault driver said happened.
- Using the evidence as leverage when negotiating with insurance companies.
- Presenting the evidence in a clear, easy-to-understand manner if the case goes to trial.

Evidence is a tool for building a strong legal case. Experienced accident lawyers know how to use these tools like skilled craftsmen. That's why you must have an attorney on your side who has successfully handled such complex cases before in Tampa and other parts of Florida.

### **Put the power of an experienced Tampa distracted driving accident lawyer to work for you**

Don't underestimate the complexity or urgency of your legal case. The sooner you have a Tampa distracted driving attorney investigating your crash, the better. That's why our legal team wants to meet with you right away.

At [Armando Personal Injury Law](#) in Tampa, we know Florida's distracted driving laws and how they apply to accident claims and lawsuits. We also know how to identify, obtain, and preserve key evidence in many distracted-driving accident cases.

To learn more about how our law firm can help you, [contact us](#) and schedule a [free consultation](#) with a Tampa distracted driving accident lawyer focused on winning your case.