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“Hidden Clues” in Determining Brake Failure

By The Warren Team

Your client has been involved in a collision and is claiming that their brakes failed. How do you know if you need to involve an expert? Are there any signs that you can look for? Here are a few “hidden clues” that may help.

When doing an investigation, whether it is an insurance claim or for litigation, you have to go to the evidence. In a collision investigation, your evidence is usually in two places, the collision site, and the vehicle. Is there anything that you can look for that may show that there was a brake failure? In a short answer, yes; but, you have to be careful because it may not always be due to brake failure.

The Collision Site

When doing a site examination, you need to not only document where the vehicles ended up, but also think about what the vehicles were doing prior to the collision. In what direction was each vehicle traveling? Where did they start braking? What did they do during braking?

Clue #1

What did the vehicle do during braking? Look to see if it continued in a straight line or if it rotated. If part of a vehicle’s braking system is failing or out of adjustment, it may not stay steady during a hard braking maneuver. The vehicle will want to rotate around its center of gravity. In other words, the vehicle may try to swap ends with the rear of the car swinging out. This happens when one part of the vehicle is slowing down faster than another part of the vehicle.

Clue #2

Did the vehicle expel any fluids prior to impact? It doesn’t happen often, but if a brake system is in a bad state of repair or has a defective part, it could have a sudden loss of fluid. A brake line, wheel cylinder, or caliper may have a sudden failure. If this occurs, brake fluid would be lost, air introduced into the system, and the integrity of the braking system compromised.

The Vehicle

The vehicle examination is more than just taking pictures to document how bad it has been damaged. Look to see what the vehicle is telling you about itself. Was it well maintained? Did it have any old damage? What condition was the brake system in prior to the collision?

Clue #3

Check the fluid level in the master cylinder. If it is low, the system may not have worked properly. With an insufficient amount of fluid, the system may not have produced enough pressure to properly actuate the calipers or cylinders. This would cause the vehicle not to slow down quick enough.

Clue #4

Were there any old leaks in the brake system? You may be saying, “This vehicle was torn all to pieces. How can I know that?” Look at the master cylinder, wheel cylinders, and connections to see if there is a build up of grime. If the system is leaking fluid over time, dirt and grime will adhere to the leaking fluid. This will usually survive the collision unless it is directly touched.

These few clues will not decisively tell you if the brake system was operating properly or not, but they may give you idea if you need to associate an expert to investigate further.