



Northern Colorado teaches you to respect the sky. In Greeley, a bright October afternoon can turn slick by evening when a cold front races down the Front Range. March might bring a warm Chinook and dry pavement, only to be followed by a spring storm that drops heavy, wet snow. Summer thunderstorms blow up fast across the plains, bringing sheets of rain, hail, and microbursts that shove vehicles across lanes. Those conditions do more than complicate the drive home. They change how negligence is judged, what evidence matters, and who ends up paying for injuries.

As a personal injury attorney who has worked through winters, springs, and a lot of unpredictable shoulder seasons in Weld County, I can tell you that weather rarely excuses careless conduct. It does, however, reframe the standard of reasonable care. The law expects drivers, property owners, and businesses to adapt to real conditions, not ideal ones. That is where cases are won or lost.

Weather does not erase duty, it refines it

Liability turns on whether someone failed to use reasonable care. Weather raises the bar for caution. The same speed that is safe on a clear day can be negligent on packed snow. A walkway that feels harmless when dry becomes a foreseeable hazard when thawing slush refreezes after sundown. The question is not whether it snowed. The question is what a careful person or business would have done in that weather, at that time, in that place.

Insurance carriers sometimes lean on phrases like act of God to argue that a storm caused the injury. The truth is more nuanced. A squall [injury attorney](#) line does not preload a truck over the speed limit. A blizzard does not force a store to leave puddles by the entrance without mats. Courts and juries look at choices people made within the weather they faced.

Colorado uses a comparative negligence system. If an injured person is partly at fault, their compensation can be reduced. If they are 50 percent or more at fault, recovery is barred. Weather often drives these percentages. Jurors might decide that a driver should have slowed to 35 on icy U.S. 34 or that a pedestrian should have taken a shoveled route instead of crossing a glassy patch of parking lot. The craft in a weather case lies in showing the concrete steps a careful person would have taken, then measuring the defendant's conduct against that standard.

Road crashes in snow, ice, rain, and glare

Most weather-related injury claims I see in Greeley grow out of traffic collisions. Snow and freezing drizzle create black ice in the shadowed underpasses on I-25 and at rural intersections that never see direct sun in December. Sudden downpours on two-lane farm roads pull oil to the surface and turn a routine stop into a skid. Even the bluebird days create hazards. Sun glare off a low winter sun can blind a driver cresting a hill on 35th Avenue for a full second or two, enough to miss a pedestrian in the crosswalk.

Here is how duty of care adapts to those conditions:

- Speed too fast for conditions. Colorado's basic speed law requires drivers to travel at a speed that is reasonable for existing conditions, not just the posted limit. A driver can be negligent at 40 in a 55 when ice is forming. For commercial trucks, federal regulations go further. Under 49 C.F.R. 392.14, carriers must reduce speed for hazardous conditions and stop if necessary. I have used that regulation to show a trucker should have parked at a nearby truck stop when visibility dropped to near zero in blowing snow west of Fort Morgan.
- Following distance and control. On ice and slush, a two-second gap is not enough. Reasonable care often means doubling or tripling following distance, using lower gears, and anticipating longer stops. Rear-end

collisions in weather rarely get a free pass.

- Vehicle readiness. Bald tires and streaked wipers move a driver from unlucky to negligent. In one rural Weld County case, we pulled maintenance records showing the at-fault pickup ran on tires with tread depth under 2/32 inch when snow fell overnight. That detail turned a tough liability debate into a straightforward claim.
- Visibility choices. Sun glare at sunrise and sunset is a regular factor in winter months along east-west routes like 10th Street and U.S. 34. Reasonable care can require more than flipping down a visor. Slowing, increasing following distance, and delaying a left turn until a clear gap opens are all part of the standard. A driver who plows ahead into the glow and hits a cyclist cannot point to the sun as a shield.
- Black ice knowledge. Bridges, overpasses, and shaded farm lanes refreeze long after open pavement dries. Drivers who live here know it. So do juries. When a local driver spins out exiting the 23rd Avenue overpass at 6 a.m. in January, claiming surprise often fails.

Weather complicates motorcycle and bicycle crashes even more. Sand and ice linger along the curb line well into spring, forcing cyclists to ride farther into the lane. A careful driver in Greeley should expect that and pass only with a safe buffer when the shoulder is unusable. For motorcyclists, wind gusts off the plains hit like a shoulder check. When a driver merges without looking twice on a gusty day, their failure to account for lateral movement can be negligent.

The role of evidence when the weather moves on

The sky changes faster than the claim adjuster returns your call. That does not mean the proof disappears. There is a lot we can lock down if we move quickly and think locally.

- Weather records. The National Weather Service maintains hourly data from stations near Greeley, including at the Greeley - Weld County Airport. Those records capture temperature, precipitation type, wind, visibility, and dew point. We cross-check those with radar archives to pinpoint timing, like the 15 minutes when sleet turned to freezing rain.
- Road video and condition reports. The Colorado Department of Transportation posts camera stills and sometimes archives them around major events. Traffic operations logs and traction law alerts tell us when agencies recognized hazardous stretches. That evidence can show a driver should have known what they were driving into.
- Vehicle data. Modern vehicles keep crash and pre-crash data: speed, throttle, brakes, and sometimes stability control events. I have pulled event data recorders showing four separate anti-lock brake activations before impact, proving a driver was out of control on ice well before they hit my client.
- Scene photographs and telematics. Tire marks in slush, footprints in snow, and thaw lines from a sunny afternoon can all be persuasive. Dashcam and rideshare telematics are gold. Even a few seconds of video showing the amount of spray from tires directly reflects water depth and hydroplaning risk.
- Maintenance and policy documents. When we deal with commercial carriers and businesses, we request winter driving policies, tire replacement logs, and traction control settings. If a company talks a good game about safety but keeps trucks on the road in a whiteout to meet delivery windows, juries notice.

Gathering this material early helps counter common defenses that blame the sky. If we can chart temperature dropping below freezing at 8:30 p.m., show a camera still of slush at 9:05, and match that to an impact at 9:12 with pre-crash hard braking, the narrative becomes disciplined rather than vague.

Slips, trips, and black ice on private property

After storms, many of the calls that come into a Greeley personal injury lawyer involve parking lots, sidewalks, and building entries. Colorado's Premises Liability Statute sets the rules. The statute focuses less on labels like natural accumulation and more on whether the landowner used reasonable care under the circumstances.

For invitees like customers and tenants, owners must use reasonable care to protect against dangers they knew or should have known about. In weather, that standard flexes with timing and effort. A business that opens at 8 a.m. On a snowy morning should have a plan for clearing and treating walking surfaces. Reasonable care might mean plowing at 6, sanding before opening, placing mats inside, monitoring for meltwater as the day warms, and reapplying de-icer before the evening refreeze. Cutting corners, such as plowing but not treating, or putting down mats and never checking them again, often creates liability.

Some edge cases recur:

- Refreeze after melt. South-facing lots thaw at noon, refreeze by 5. When a property has known shade patterns and temperature swings, the owner should anticipate black ice in the evening commute and treat accordingly, not wait until morning.
- Downspouts and slope. Redirected runoff that empties across a walkway and freezes produces predictable hazards. If we find a downspout discharging onto a path, an owner's argument that the storm caused the ice usually falls flat.
- Entrances and tracked-in water. Stores that mop without placing warning signs, or that use thin mats that saturate during a slushy lunch rush, often see falls. We look for surveillance video, cleaning logs, and work orders from snow contractors to confirm who knew what and when.
- Residential and rental properties. Landlords and HOAs in Northern Colorado commonly shift snow removal duties by contract. Those contracts do not erase the statutory duty to invitees, but they add potential defendants and insurance coverage layers. We review the documents. If a contractor agreed to apply de-icer after any snowfall over one inch and skipped a day, that breach matters.
- Sidewalk ordinances. Many Colorado cities, including Greeley, require property owners to clear adjacent sidewalks within a set time after snowfall ends. The exact window can change, so we check the current code. These ordinances do not automatically create civil liability, but they are strong evidence of the standard of care in town.

Be wary of the phrase open and obvious. A visibly snowy walkway does not close the book on a claim. Under Colorado law, a hazard can be obvious and still unreasonably dangerous. The analysis returns to what a careful owner would have done to reduce risk, considering the weather and use of the property.

Comparative negligence when the weather turns

Colorado's modified comparative negligence rule is a constant presence in weather cases. It encourages both sides to tell a story about shared responsibility, with percentages attached. The defense may argue that a plaintiff chose to cross a visibly icy area or kept driving on bald tires. The plaintiff points to a driver who did not slow for fog or a store that ignored meltwater.

The jury's allocation can swing on practical details:

- Was the hazard hard to see? Black ice at 6 a.m. In a shaded lot carries a different weight than a chunky snowbank at noon.

- What safer options existed? If a clear route was available, a plaintiff's decision to take the risk can reduce damages. If no safe route existed, responsibility shifts back to the owner.
- Did equipment matter? Worn tires and broken defrosters weaken a driver's case. Quality winter tires and fresh wipers strengthen it.
- How did timing play out? Reasonable care at 4 a.m. During an active storm differs from reasonable care at 10 a.m. Three hours after snowfall ended.
- What did local knowledge suggest? In Greeley, people know shaded bridges refreeze and rural intersections drift. A defendant's claim of surprise carries less force here than it might in a milder region.

Colorado used to allow a special sudden emergency jury instruction. The state's high court has stepped away from that separate instruction, folding the concept into ordinary negligence. Juries can still consider whether a driver faced a sudden, unavoidable peril, but they weigh it within the overall reasonableness standard. Weather does not grant a separate escape hatch.

When the defendant is a public entity

Snow and ice put public works to the test. Plows cannot be everywhere at once, and resources get stretched. If a crash or fall involves a city, county, or state entity, different rules apply. The Colorado Governmental Immunity Act limits when you can sue public bodies and imposes a short clock for written notice. Injury claims against a public entity generally require formal notice within 182 days of the incident, a deadline that runs long before the lawsuit filing date.

Immunity questions get complex fast. Some roadway conditions can open the door to a claim, while snow and ice removal decisions often remain immune. That line depends on whether the hazard qualifies as a dangerous condition of a public roadway as defined by statute. The safest move is to treat any weather-related injury involving a public entity as urgent and get counsel involved at once. Even if immunity applies, a careful review sometimes identifies private contractors or other drivers whose negligence contributed and who do not share the same protections.

Medical causation in cold weather injuries

Weather does not just cause falls and collisions. It shapes injuries. Winter crashes deliver odd biomechanics. Cars slide into angles that do not show in dry pavement wrecks. People fall with hands in pockets, shoulder first, leading to clavicle or humeral fractures instead of wrist sprains. Cold tightens muscles and slows reaction, which can worsen strains. Snowbanks hide curbs and landscaping blocks that change foot placement on impact.

Insurance carriers may argue that aches and pains after a winter fall relate to age or a preexisting condition. Colorado law recognizes that a negligent party is responsible for aggravation of prior conditions, not just fresh injuries. In practice, medical records should document the before and after. If a person had occasional low back soreness, but after the fall required imaging that showed a new herniation and started physical therapy twice a week for two months, that is a compensable aggravation. The weather background ties to mechanism, not as an excuse but as context for the forces involved.

Insurance defenses and how to meet them

Beyond the act of God refrain, a few weather-specific defenses come up often.

- Unavoidable accident. The claim runs that no one could have prevented the slide or the fall. That is where speed, following distance, footwear, mats, lighting, and de-icer logs matter. We rarely see a truly unavoidable

event. Usually, one or two practical steps would have changed the outcome.

- Natural accumulation. Some states give owners more leeway for natural snow and ice. In Colorado, premises liability returns to reasonableness. If a business invites customers during and after storms, it should have a plan to reduce the known risk.
- Open and obvious. This defense can reduce recovery, but it is not a silver bullet. A person who must cross an employer's lot to get to work has limited alternatives. A customer may not see clear ice even if snow lies nearby. We push into those details.
- Comparative fault inflation. Adjusters sometimes try to load a large percentage of fault on the injured person with thin support. Good, localized evidence keeps the numbers honest.

Practical steps to protect your claim after a weather event

You cannot freeze time, but you can capture what matters and avoid common missteps.

- Take wide and close photos or video of the scene, including footprints, tire tracks, puddles, ice sheen, and nearby shade or downspouts. Pan slowly to show landmarks and the sky.
- Identify witnesses and get phone numbers before people scatter. In storms, bystanders do not hang around.
- Preserve footwear and clothing if you slipped. Do not wash them. Tread patterns and de-icer residue help experts.
- Seek prompt medical care and describe the mechanism. If you fell with hands in pockets, say so. If you could not avoid the patch because cars were passing, explain it.
- Call a Greeley personal injury lawyer early so preservation letters can go out for video, maintenance logs, and vehicle data.

How a Greeley personal injury lawyer builds a weather case

Local context matters. An attorney who tries cases in Weld County knows which overpasses refreeze, how quickly wind scours east-west farm roads, and which retail centers consistently struggle with meltwater. That knowledge informs both investigation and negotiation.

An experienced injury attorney develops a weather case by pulling specialized records, coordinating experts, and anchoring arguments in specifics rather than generalities. In practice, that can look like this short playbook:

- Formal preservation letters to businesses and carriers for surveillance video, snow removal contracts, and incident reports, sent within days.
- Public records requests to CDOT for camera stills, traction law advisories, and maintenance logs near the crash time window.
- Retention of a reconstructionist to map vehicle paths on slick surfaces and a meteorologist to translate hourly data into on-the-ground conditions.
- Site inspections timed to mimic sun angle and temperature when feasible. A 4:45 p.m. Visit in January can show where shadows fall and where refreeze starts.
- Comparative negligence analysis early, using the real constraints the plaintiff faced, to front-run insurer attempts to inflate fault.

The goal is not volume of paper. It is clarity. When we can show that a defendant skipped a simple, reasonable step that would have prevented the harm, liability firms up even when the weather was rough.

Time limits you cannot miss

Colorado stacks a few deadlines worth committing to memory:

- Most motor vehicle injury claims have a three-year statute of limitations from the date of the crash.
- Most other personal injury claims, including many premises claims, have a two-year limitation.
- Claims involving public entities require formal notice within 182 days, which is barely six months and arrives quickly if you are healing.

There are exceptions and traps, such as shorter notice periods under certain insurance policies and contract provisions with snow removal vendors. Do not assume you have time. If the weather played a role, evidence degrades faster, so acting early has an outsized payoff.

A few real-world patterns from around Greeley

Experience teaches patterns, and patterns keep you honest.

When a late afternoon thaw refreezes, parking lot crashes jump between 5 and 7 p.m. People leave work, lots are shaded, and a thin skin of ice coats traffic lanes. If a property **Personal Injury Lawyer** manager last treated at lunch, slips spike near the entrances.

At rural intersections east of town, blowing snow forms hard drifts that creep into the travel lanes. Plows cut them back, but wind fills them again within hours. Drivers unfamiliar with the area hit the drift at speed and veer into oncoming traffic. Local drivers know to crest slowly with hands light on the wheel. Out-of-towners are often the defendants in these crashes, but locals cause them too when they drive patterns, not conditions.

Sun glare along U.S. 34 near sunset blinds drivers heading west. Left turners who dash across the eastbound lanes misjudge gaps against a wall of light. I build those cases with sunset angles, time stamps, and a simple truth. When you cannot see, you do not go.

At big box entrances, the mop bucket is not enough. Mats saturate by 11 a.m. In a slushy storm. Employees replace them slowly. If managers do not schedule midday checks and changeouts, the predictable happens. People slip just inside the vestibule, and the store argues weather. Courts look at the mat log.

The bottom line for drivers, businesses, and property owners

Drivers in and around Greeley are expected to equip for winter, adjust speed to real conditions, maintain visibility, and allow space. Businesses are expected to plan for storms, monitor throughout the day, and treat refreeze as a recurring hazard. Landlords and HOAs must coordinate with contractors and verify that promises on paper turn into salt on concrete.

No one gets a free pass because the forecast was ugly. Liability in weather cases rests on ordinary reasonableness applied to extraordinary conditions.

When to call an attorney

If you were hurt and weather played a role, talk with a Greeley personal injury lawyer sooner rather than later. The first week is crucial for preserving video, pulling road data, and documenting conditions that will be gone tomorrow. A seasoned accident attorney knows which records to chase, which experts to hire, and how to tell the story of responsibility without overstating it.

Insurers move fast in weather cases because they think jurors will shrug. The best way to answer that is with facts. If you bring those facts into focus early, your claim has a strong foundation, even when the sky did not cooperate.

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FAQ About Personal Injury Lawyer

Is it worth suing for personal injury?

Suing for a personal injury is generally worth it if you have severe injuries, mounting medical bills, and lost wages. However, it is rarely worth the time and effort for minor bumps and bruises where you recover quickly.

What not to say to a personal injury lawyer?

Never hide details, lie, or downplay your symptoms when speaking to a personal injury lawyer. Withholding information or fabricating details destroys your credibility, provides insurance companies an excuse to deny your claim, and makes it impossible for your attorney to properly advocate on your behalf.

How much do most personal injury lawyers charge?

Most personal injury lawyers charge a contingency fee, meaning you pay nothing upfront. They take a percentage of your final settlement or jury verdict—typically ranging from 33% to 40%—and only get paid if you

win your case.