

How Maine's Six Year Statute of Limitations Really Works in Car Accident Cases

Why Maine's Six-Year Deadline Doesn't Mean You Have Six Years To Act

The days after a serious [car accident](#) in Maine don't feel like a legal problem, they feel like survival. You're trying to get out of bed without pain, keep your job, keep your family steady, and answer what feels like endless calls from insurance companies. The last thing on your mind is a deadline that sits years in the future.

Maine's [six-year statute of limitations](#) for most car accident lawsuits sounds comforting, almost like a wide safety net stretched under you. [Romanow Law Group](#) has seen strong cases crumble because time quietly erased the proof needed to hold a careless driver accountable, even though the statute hadn't technically expired.

We want you to understand how this six-year rule really operates in the real world, why waiting is so risky, and how our firm steps in to protect your rights long before the calendar runs out.

What Is Maine's Six-Year Statute of Limitations in Car Accident Cases?

In Maine, most car accident injury and property damage lawsuits must be filed within six years from the date of the crash. That statute of limitations is the formal legal deadline for starting a lawsuit in court. It's not the deadline for calling an insurance adjuster, and it's not the deadline for "thinking about" bringing a claim. It's the line where a judge can say, "You're too late," and close the courthouse doors.

This six-year period typically applies to negligence-based claims arising out of a collision, including when another driver rear ends you at a light, causes a T bone crash at an intersection, or crosses the centerline in winter weather and hits you head on. Whether you were driving, riding as a passenger, or walking across the street, the same general limit usually applies if your case is based on someone else's careless driving.

Why A Six-Year Deadline Isn't Nearly as Safe as It Sounds

On paper, six years looks generous. In practice, the damage to your claim starts in the first weeks and months after a collision. Evidence doesn't care how long the statute is. It disappears on its own schedule.

In the real world, proof decays much faster than the legal clock:

- **Witness Memory Fades Quickly:** People who clearly remember a red light, a speeding truck, or a distracted driver in month one may only remember "a bad crash" a year later.

Over several years, they move, change numbers, or simply can't recall important details well enough to stand up under cross examination.

- **Physical and Digital Evidence Disappears:** Skid marks wash away with rain and snow. Damaged guardrails get replaced. Vehicles are repaired, traded in, or sent to the scrapyard. Surveillance and dashcam systems routinely overwrite old footage in days or weeks. Event data recorders in vehicles can be reset or lost if the car isn't preserved.
- **Medical Proof Gets Muddy:** When there are long gaps before treatment or long stretches without follow up care, insurers argue your pain comes from something else. Over several years, complicated medical histories make it harder to clearly link today's limitations back to that specific crash.

How Insurance Companies Use Time Against You

Insurance companies know exactly how the statute of limitations works, and they often use timing as a quiet weapon. Adjusters may sound patient and reassuring while they're really letting the clock work in their favor.

Common patterns we see include:

- **Slow Motion Handling Claims:** Adjusters ask for one more form, one more set of records, one more "internal review," all while telling you there's no need to rush into hiring a lawyer.
- **Early Lowball Offers:** When you're out of work and the medical bills are piling up, a small offer can feel like a lifeline. If you accept before understanding future treatment or lost earning capacity, you can sign away your rights for pennies on the dollar.
- **Last Minute Pressure When The Statute Is Close:** As the deadline approaches, some insurers stop negotiating or refuse to move off a low number, assuming you won't file suit in time. If you miss it, they know your leverage is gone.

When Maine Car Accident Deadlines Are Shorter Than Six Years

One of the biggest traps we see is assuming that six years applies to every kind of crash-related claim. In some situations, the true deadline is much shorter and comes with special notice rules. That's where people are most at risk of losing their rights without realizing it.

Crashes Involving Government Vehicles or Dangerous Roads

If your injuries are tied to the condition of a public road or the actions of a government employee, different rules can come into play. For example, a claim may involve:

- A missing or obscured stop sign at a dangerous intersection
- A state or town plow truck that slid into your lane
- A poorly designed curve with no guardrail and a history of run off road crashes

Claims like these can require written notice to a municipality or state agency within a very short time frame, often measured in months, not years. That notice typically must include specific information about when and where the incident happened, how it occurred, and what kind of injuries you sustained.

If you miss those notice deadlines, your claim against the government entity may be barred even though the general six-year statute for ordinary negligence hasn't expired. That's one reason we tell people to call us whenever a crash might involve road defects, public vehicles, or questions about how the roadway was designed or maintained.

Wrongful Death Claims After a Maine Car Accident

When a collision is fatal, the law treats the claim differently. The [wrongful death claim](#) belongs to the deceased person's estate and immediate family, and Maine law imposes a separate limitations period that is shorter than six years.

Two timing issues often matter:

- The clock often starts on the date of death, which may be days or weeks after the crash if your loved one survived for a time in the hospital
- There can be overlap between the original injury claim and the later wrongful death claim, which affects who can recover and what damages are available

Medical Malpractice Connected to Crash Treatment

Sometimes the collision is only the first injury. If a crash victim receives negligent medical care that makes things worse, there can be a separate claim against a doctor or hospital. Those claims are governed by a different statute of limitations, usually around three years, and additional procedural rules.

That means you could have:

- A car accident claim against the driver who caused the crash
- A medical negligence claim against a provider who misread imaging, delayed surgery, or mishandled treatment

How Tolling Rules Can Pause or Shift the Clock

Maine law recognizes that some people can't reasonably protect their rights the way a healthy adult can. In certain circumstances, the statute of limitations may be paused or start later. These tolling rules can be lifesavers, but they're not something you ever want to rely on without close legal guidance.

When The Injured Person Is a Minor

When a child or teenager is hurt in a car crash, Maine's rules may delay when the statute of limitations begins to run. That can give the injured person additional time to file after turning 18, especially in cases with serious, long-lasting injuries.

When An Adult Is Legally Incapacitated

Some crashes result in severe brain injuries or other conditions that leave a person unable to manage their own affairs. If someone is legally incapacitated, placed under guardianship, or otherwise unable to act on their own, the statute of limitations may pause until that incapacity changes.

Hidden Injuries and Discovery Type Issues

Not every collision injury shows up on day one. Some conditions, especially certain neck, back, nerve, or brain injuries, evolve over time. It's possible for someone to walk away from a crash believing they're fine, only to develop serious symptoms weeks or months later.

When The at Fault Driver Leaves Maine

If the negligent driver moves away after the crash, that doesn't automatically erase your rights. There are situations where the statute of limitations pauses while a defendant is out of state and hard to serve. At the same time, modern jurisdiction rules often allow us to sue out of state drivers through their insurance or under Maine's long arm statutes.

Why Waiting Makes It Easier to Blame You

When skid marks are gone, witnesses are fuzzy, and video has been overwritten, the defense has more room to argue that you were speeding, distracted, or failed to react reasonably. Without solid evidence to counter those claims, jurors may default to "split blame" conclusions.

Here's a simple example:

- Six months after a crash, we still have clear photos, measurements, and an independent witness who confirms the other driver ran the red light. It's easier to show that the other driver is primarily responsible.

- Five years later, there are no scene photos, the witness can't be located, and both drivers remember the light differently. The defense has a stronger shot at persuading a jury that you share [equal or greater fault](#).

Because evidence disappears so quickly, the steps you take in the hours and days after a crash matter enormously. At a minimum, try to: photograph the scene, vehicles, road conditions, and any visible injuries before anything is moved or cleaned up; get the names and contact information of any witnesses before they leave; request a copy of the police report as soon as it becomes available; seek medical attention promptly and keep all follow-up appointments so there are no gaps in your treatment record; and avoid giving recorded statements to any insurance company before speaking with an attorney. None of these steps require legal training, but all of them make a real difference in what we can do for you later.

Talk With Our Maine Car Accident Lawyers Before The Clock Runs Out

If you were hurt in a Maine car accident, you don't have to guess how much time you have left or what to do with it. Romanow Law Group can review your crash date, walk through any special rules that might apply, and give you a clear picture of your options before time closes any doors.

We take care of the deadlines, the evidence, and the insurance fights so you can put your energy into healing and rebuilding your life. If you're ready to talk about what happened and what should happen next, [contact us](#) to schedule a free, confidential consultation. If we take your case, you won't pay any attorney's fee unless we recover compensation for you.