

How Weather Conditions Like Ice, Snow and Rain Affect Car Accident Claims in Ontario

Our Toronto car accident lawyers explain how the legal system works

Bad weather – including snow, ice and rain – plays a role in roughly one-third of all [car accidents](#) in Toronto and the rest of Ontario, according to annual accident statistics compiled by the [National Collision Database](#).

But just because there's snow, freezing rain, ice or other inclement weather doesn't mean drivers get a free pass if they cause a car accident. If a driver's actions resulted in a collision, they should be held accountable for the damage and injuries they caused to other people.

However, that's often easier said than done. That's because proving that someone's actions caused your collision – and not bad weather – often requires evidence of exactly what happened. Our Toronto car accident lawyers at [Smitiuch Injury Law](#) explain what to know.

Why weather-related crashes are so common in Ontario

Ontario often experiences a sharp increase in collisions during winter storms and heavy rain events. Reduced visibility, slippery roads and longer stopping distances can make everyday driving more dangerous. Yet weather alone does not cause crashes. Driver decisions do. And safe drivers make adjustments when the weather turns bad.

Common driver errors that contribute to weather-related accidents include:

- Driving too fast for road conditions
- Following other vehicles too closely
- Failing to brake early on snow or ice
- Sudden lane changes on wet pavement
- Inadequate vehicle maintenance, such as worn tires

Drivers are expected to adjust their behaviour to match conditions. When they fail to do so, the law often considers them at fault for the resulting collision.

How fault is determined in Ontario car accidents

In Ontario, fault for a car accident is assigned based on what happened and which driver's actions caused the crash.

Fault is not decided by weather reports or road conditions alone. Instead, investigators look at concrete facts and evidence, including:

- Vehicle positions before impact
- Speed relative to conditions
- Following distance

- Braking behaviour
- Traffic laws and right-of-way rules

Even during snowstorms or freezing rain, drivers are still required to operate their vehicles safely. In fact, it's even more important to drive safely during a snowstorm or another bad weather event. Losing control because of ice or hydroplaning does not automatically excuse a driver's actions.

Can a driver blame ice, snow or rain for a crash?

Insurance companies often argue that "bad weather" was the primary cause of an accident. This is especially true if the insurance company represents the at-fault driver who crashed into your car. In reality, Ontario law does not treat bad weather as an unavoidable event.

If a driver:

- Was driving too fast for icy conditions
- Failed to leave enough stopping distance
- Could not stop in time on wet pavement
- Skidded because they did not adjust speed

They may still be found at fault.

Weather conditions often increase the standard of care, not reduce it. Drivers are expected to be more cautious, not less. This is what safe drivers do. And when reckless drivers put everyone at risk and cause a collision, they should be held accountable, especially if the accident happened during a bad weather event.

What happens if both drivers say the weather caused the crash?

In some cases, insurers try to spread fault between drivers by pointing to road conditions. While shared fault is possible, weather alone does not automatically divide responsibility.

For example:

- A driver who rear-ends another vehicle on snow is often still found at fault.
- A driver who slides through a red light on ice may still be responsible.
- A driver who hydroplanes while speeding may bear most or all fault.

Each case depends on evidence, not assumptions. This is why you should have an experienced car accident lawyer on your side, investigating exactly what happened. Otherwise, your injury claim might not get the attention it rightfully deserves.

Why rear-end crashes during bad weather are still usually fault-based

Rear-end collisions are extremely common during snow and rain. Insurance companies often argue that slippery roads made stopping impossible. Ontario fault rules generally say otherwise.

Drivers are expected to:

- Increase following distance in poor weather
- Brake earlier and more gradually
- Anticipate slower traffic

If a driver cannot stop in time because of bad weather, many insurance companies often conclude they were following too closely or driving too fast for conditions. Bad weather isn't a license for drivers to do anything they want.

How weather affects car accident evidence

Bad weather can complicate car accident investigations. If there's 10 cm of snow on the ground, for example, skid marks might not be immediately visible. But the evidence still exists. In fact, it can strengthen claims when handled properly. Key evidence in weather-related claims often includes:

- Photos of road conditions and visibility
- Vehicle damage patterns
- Traffic camera footage
- Witness statements
- Weather reports confirming conditions at the time

Such evidence helps show whether a driver adjusted appropriately or ignored the risks. This is why it's critical that car accident injury victims talk with a lawyer as soon as possible after a collision. A lawyer can start gathering evidence right away before it's lost, destroyed or forgotten.

What insurers often argue in weather-related claims

Insurance companies (especially those representing the at-fault driver) frequently raise similar arguments after weather-related crashes, including:

- "No one could have avoided this."
- "The roads were icy."
- "Visibility was poor."
- "It was an unavoidable accident."

These arguments are often used to delay, reduce or deny claims. They do not automatically hold up under Ontario law. A crash caused by poor judgment in bad weather is still a crash due to negligence. Ontario law is very clear on that.

How winter driving affects car accident liability

Liability is a legal term that refers to who's responsible for paying for the accident. In Ontario car accidents, the driver deemed to be at fault is often liable, meaning they are legally responsible for paying for the accident.

Determining liability after a winter driving accident can become complicated for many different reasons. However, failing to adapt to hazardous weather conditions should still result in fault, even if:

- Snowplows had not yet cleared roads.
- Ice was present without warning signs.
- Visibility was reduced due to snow or ice.

Drivers must anticipate seasonal hazards. Liability should still be assigned. Your lawyer can work with you to make sure that liability in your accident is assigned correctly. And if there are any errors, your lawyer can gather evidence in support of your claim.

What if road maintenance played a role?

In some cases, poor road maintenance may have contributed to your car accident, especially in cases involving hazardous weather. This can include:

- Untreated icy intersections
- Poor drainage causing flooding
- Snowbanks blocking visibility

Claims involving municipalities are complex and time-sensitive. Special notice rules apply. These cases require careful investigation to determine whether road conditions contributed to the collision alongside driver error.

How weather impacts injury severity

Weather-related crashes often result in more severe injuries due to a variety of reasons, including:

- Higher impact forces from sliding vehicles
- Multi-vehicle pileups
- Delayed emergency response during storms

Injuries commonly seen as a result of car accidents that occur during hazardous weather events include:

- Whiplash and soft tissue injuries
- Fractures from secondary impacts
- Head injuries
- Spinal injuries

Serious car accident injuries can take weeks or months to fully appear, especially after cold-weather crashes. Whenever such injuries appear, they need to be taken seriously – by medical professionals and insurance companies.

Why insurers scrutinize injury claims after winter accidents

Insurance companies often question injuries from low-speed winter crashes. They may argue:

- The impact was minor.
- The injuries existed before.
- Symptoms appeared too late.

There's a simple reason why insurance companies behave this way – money. Many times, insurance companies are looking for any excuse to avoid paying car accident injury victims the money they deserve. Medical records, consistent treatment and proper documentation are critical in countering these arguments.

What injured drivers should do after a weather-related crash

If you are injured in a collision during snow, rain or ice, taking the right steps early matters. Important actions include:

- Seek medical care immediately.
- Report the collision properly.
- Document road and weather conditions.
- Take photos if safe to do so.
- Talk to witnesses at the crash site.
- Get the witnesses' full names and contact info.
- Don't discuss the accident with anyone.
- Call a lawyer as soon as possible.

How weather affects accident benefits and lawsuits

Bad weather does not change your right to car accident benefits in Ontario. Medical and income replacement benefits are still available regardless of fault. In fact, you might need more benefits than many car crashes due to the severity of your car accident.

When pursuing a car accident lawsuit in Ontario, weather may be discussed, but it does not replace the need to prove how the crash occurred and who failed to drive safely. Ontario's laws still apply, regardless of whether your accident occurred during a snow or rain storm.

Why legal guidance matters in weather-related claims

Weather-related car accident claims in Ontario often involve a wide range of complex legal matters, including:

- Disputed fault
- Conflicting accounts
- Insurer resistance
- Complex evidence

Having experienced legal guidance helps make sure that weather is properly contextualized, not used as a blanket excuse to deny responsibility.

Learn how a Toronto car accident lawyer can help you

Ice, snow and rain are a normal part of driving in Toronto and across Ontario. They do not eliminate a driver's duty to operate a vehicle safely.

If another driver failed to slow down, left too little space or lost control because they did not adapt to conditions, weather is not a defence. It is a warning that should have prompted caution.

At [Smitiuch Injury Law](#), our lawyers understand how insurance companies use weather arguments to avoid responsibility and how to respond with evidence in support of your case. We help injured drivers across Toronto and Ontario pursue fair compensation after weather-related crashes.

If you were injured during a snowstorm, rainstorm or icy conditions, you do not have to accept the explanation that "nothing could be done." Many legal options are often available. [Contact us](#) to learn more about your rights. Schedule a [free consultation](#) at our law firm.