Tennessee crash deadlines: a plain-English explainer

Tennessee gives injured people a limited time to file a lawsuit. The usual limit is short. This page explains the main rules and where they come from. It is general information, not legal advice, and it cannot tell you the deadline in your case.

1 year

Personal injury from a car, truck, motorcycle, pedestrian or bicycle crash in Tennessee generally must be filed in court within **one year** after the claim "accrued" (usually the date of the crash or injury). Tenn. Code Ann. § 28-3-104(a)(1)

The main deadlines at a glance

CLAIM	USUAL LIMIT	PLAIN-ENGLISH NOTE	SOURCE
Injury to a person (crash, fall, dog bite)	**1 year**	From when the claim accrued. A different period can apply in some situations; see "exceptions".	Tenn. Code Ann. § 28-3-104(a)(1)
Damage to property (your vehicle)	**3 years**	Applies to claims for injury to personal or real property.	Tenn. Code Ann. § 28-3-105
Crash with a city or county vehicle or employee	**12 months**	Claims against local governments in Tennessee are governed by the Governmental Tort Liability Act, which has its own rules and a 12-month filing limit.	Tenn. Code Ann. § 29-20-305(b)
Wrongful death	**Usually 1 year**	Courts have applied § 28-3-104; which date starts the clock can be disputed. Ask a Tennessee attorney quickly.	Tenn. Code Ann. § 28-3-104
Your insurance policy	Policy terms	Your policy may require prompt notice or other steps. These are separate from the court deadline. Read your policy.	Your policy

Exceptions that exist

The one-year personal injury rule has exceptions. For example, subsection (a)(2) can extend the period to two years when criminal charges are brought against a person alleged to have caused the injury and a criminal prosecution also begins within the one year. Courts have held that not every citation triggers it (for example, a city ordinance citation was held not to, in *Glover v. Duckhorn*, No. W2022-00697-COA-R3-CV (Tenn. Ct. App. May 2, 2023)). Special rules can also apply to minors and to people who are legally incompetent (see Tenn. Code Ann. § 28-1-106).

Count the days (worksheet)

Crash date _____

One-year date (same date next year) _____

Date I looked at this _____

This is a rough reminder, not a legal calculation. Ask an attorney to confirm your actual date.

General information, not legal advice. CrashFirst is not a law firm and does not give legal advice or recommend an attorney. **Attorney review pending.** You never pay CrashFirst. Statute summaries in plain words (not the statute text) drawn from published code and Tennessee court opinions, November 2026. Laws change.

Why deadlines matter, and a related rule

If a deadline passes

Courts generally dismiss lawsuits filed after the limit has run, even when the injury is real. A deadline for filing is usually about starting a lawsuit, not about when an insurer pays or settles. An insurance company can still be negotiating with you when the clock runs out, and negotiations by themselves do not necessarily stop the clock. A licensed attorney can tell you how this applies to your situation.

Fault in Tennessee

Tennessee uses "modified comparative fault." In general, a person found 50 percent or more at fault cannot recover damages from another party, and anyone found less than 50 percent at fault may recover damages reduced by their share. McIntyre v. Balentine, 833 S.W.2d 52 (Tenn. 1992). Who is at fault is decided from the facts, which is why records matter.

What you can do now that is not legal advice

- [ ] Write down the crash date and put a calendar reminder at 6 months and 3 months before the one-year date.
- [ ] Keep your documents together: police report, photos, medical records and bills, insurer letters.
- [ ] If a government vehicle or employee was involved, tell an attorney quickly; deadlines and notice rules for those claims can be stricter.
- [ ] If you want a legal answer about your deadline, a licensed Tennessee attorney can give one. The Tennessee Bar Association and local bar associations can point you to a lawyer referral service.

SOURCES

- Tenn. Code Ann. § 28-3-104 (limitation of actions: personal injury, one year; subsection (a)(2) extension)
- Tenn. Code Ann. § 28-3-105 (property damage, three years)
- Tenn. Code Ann. § 29-20-305(b) (Governmental Tort Liability Act, 12 months)
- Tenn. Code Ann. § 28-1-106 (tolling for minors and legally incompetent persons)
- McIntyre v. Balentine, 833 S.W.2d 52 (Tenn. 1992)
- Glover v. Duckhorn, No. W2022-00697-COA-R3-CV (Tenn. Ct. App. May 2, 2023), on the effect of an ordinance citation

WHERE TO READ THE LAW

Tennessee Code Annotated is published online by the State of Tennessee and by commercial services such as Justia. Because statutes are amended, confirm the current text and any recent case law before relying on a deadline. Written November 2026.

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