

Important Information

Other Vehicle Information

Name:
Address:
Phone #:
Other Passengers:

Vehicle Make:
Vehicle Model:
Vehicle Year:
Vehicle Description:
Registration Data:
License Plate:

Insurance Carrier:
Insurance Policy:

Accident Information

Day, Date and Time:
Road you are on:
Intersecting Road:
Landmarks:
Speed Limit:

Direction you were traveling:
Direction other driver was traveling:

Lighting / Visibility Conditions:
Weather Conditions:
Road Hazards / Foreign Bodies:
Grade or Incline:

For More Information visit FindLaw.com
<http://injury.findlaw.com/car-accident/>



THOMSON REUTERS

Motor Vehicle Accidents: First Steps

FindLaw[®]
A Thomson Reuters Business

First Steps Checklist

Would you know what to do if you were driving and hit another vehicle? A pedestrian? When a car accident happens, injuries may be severe and emotions may be high. However, there are important things that must be taken care of both at the scene of any accident and soon afterward. Following is a list of things that should be done, if at all possible, when any automobile accident occurs.

At the Accident

Stay at the Scene

The cardinal rule for all car accidents is that you should never leave the scene until it is appropriate to do so. If you leave the scene of an accident, particularly where someone has sustained injuries or was killed, you can face serious criminal penalties for being a “hit-and-run” driver.

Exception: If you are hit by another car in a deserted area, use caution in stopping and getting out of your vehicle. Unfortunately, there have been reported incidents where a person exited their vehicle in a deserted or unsafe area after being bumped by another car only to be robbed or killed. Instead of getting out of the car if you find yourself in that situation, drive to the nearest police station to report the accident. If it turns out that you were being over-cautious and the other driver had no ill intentions, you may be embarrassed, but you will also be safe.

Check on All Drivers and Passengers

Before assessing property damage, check to make sure that everyone else involved in the accident is okay. Get medical attention for anyone who may need it. If a person is unconscious or complains of neck or back pain, it is best not to move them until qualified medical personnel arrive. In some situations, for example if an injured person is lying in a pool of gas that you fear may ignite at any time, you may have no choice but to move them. If you are in that type of situation, try to move them as steadily and slowly as possible while supporting their neck and back. The less movement, the better.

Call the Police

Especially if the accident involves significant property damage, physical injury, or death, you may need to call the police. Ask that a police report be filed in situations where law enforcement officers do arrive at the scene, and obtain the name and badge numbers of any responding officers.

Exchange Information

Talk to the drivers of any other vehicles involved in the accident. Get their names, phone numbers, addresses, drivers’ license numbers,

license plate numbers, and basic insurance information. If there are passengers in any of the vehicles, obtain their names, telephone numbers, and addresses as well. In talking to drivers of other vehicles, you should try to be cordial and cooperative in determining that everyone is okay and in exchanging basic information.

However, do not apologize for anything at the scene. If you jump out of your car and blurt out, “I’m so sorry I ran that red light! Is everyone okay?” you may back yourself into a corner in terms of legal liability for what happened. Immediately after an accident, the scene is chaotic and it might not be evident who was at fault, or who was more at fault, in causing the accident. Moreover, in many states, fault is not determinative of which insurer will pay for any loss. Therefore, try to keep your conscience in check, at least until things get sorted out, so that you don’t admit guilt unintentionally or unnecessarily.

Talk to Witnesses

Ask every witness what he or she saw. Get their names, telephone numbers or addresses, if possible. Whether the witnesses are residents of the area, businesspeople that work nearby, or passersby who were in the vicinity, try to talk to as many people as you can. Ask them, in particular, if they have ever witnessed other accidents in the same place. If a witness is hesitant to talk to you, don’t beg or threaten them. Forcing information from someone will get you nowhere. Write down what they tell you and, if they agree, simply get their name and phone number so that you, your attorney, the insurance company, or the court can contact them again.

Take Pictures

Take photographs of any damage to your vehicle as soon as possible after the accident. Having photographic proof will help your insurance adjuster determine how much you should be compensated for the damages to your car, and may also assist your case in court, if needed. If you have pictures of your car from before the accident, these pictures will offer a great “compare and contrast” to show the true extent of the damage sustained in the accident.

After the Accident

Inform Your Insurance Company

As soon as possible, tell your insurance company that you have been involved in an accident. Cooperate with your insurance company and tell them the truth about what happened and the extent of your injuries. If the insurance company finds out that you have lied to them about anything, you can get into serious trouble, not the least of which may be the denial of any coverage for the accident. Build support for your case when discussing the matter with your insurance company. Be able to explain to them the facts of the case in a clear manner. Obtain

and review a copy of any police report, so that you can point out to the insurance company who broke what traffic laws or who was at fault for the accident. Such information will often be provided in the report. Although the insurance company may already know the facts of your case, taking an active interest in making sure your rights are protected will force the insurance company to take you seriously.

Keep Track of Your Medical Treatment

Note any doctors, physical therapists, chiropractors, or other medical professionals that you receive treatment from, and each medical provider that referred you to other caregivers. Having a written diary of this information will help you itemize your medical expenses and treatment for your insurer, your attorney, and the court.

Get a Property Damage Valuation

Obtain a valuation for damages to your car from your insurance company. If you are not satisfied with the manner in which your insurance company has valued your vehicle, do not give up. Get two estimates for the repair of your car on your own, or have two dealers provide a quote for the cost of replacing your vehicle if there was a total loss. Communicate to the adjuster your concerns and position, and be assertive. If you cannot agree on the value of your car, consider alternative dispute resolution, or consult an attorney.

Use Caution in Discussing the Incident

Do not talk to anyone about the accident other than your attorney, your insurance company, and the police. Do not talk to a representative of another insurance company under any circumstances, without the knowledge of your attorney or your insurance company. If representatives from other insurance companies should call you, be polite, but ask them to call your attorney or insurance company to arrange for an interview. Also, get the representative’s name and number, and tell your insurance company or attorney that someone seeking information about your accident contacted you.

Be Wary of Early Settlement Offers

Be careful if you are offered a settlement from an insurance company. Make sure that any physical injuries you may have suffered have been treated, and that you have a doctor’s prognosis. Some injuries may not show up or reach their greatest level of discomfort until many days, weeks, or months after the accident. Don’t settle a claim until you know you will be compensated for all of your injuries, and consult an attorney before signing any documents pertaining to settlement.