

WHAT TO DO IF YOU ARE IN AN AUTO ACCIDENT



WHAT IS THE FIRST THING I SHOULD DO AFTER I AM IN A CAR ACCIDENT?

Immediately following your accident, you should move your car out of the roadway, if possible, and remain calm! Whether you believe the accident was your fault or that of the other driver(s) involved, losing your temper will only make the situation worse.

Next, you should check on any passengers in your vehicle as well as any drivers and/or passengers in the other vehicles involved in your accident to make sure everyone is okay. If anyone is injured, call for emergency medical assistance and provide assistance to the injured if you are able to.

IF MY CAR ACCIDENT INVOLVED ONLY A PARKED CAR OR OTHER UNATTENDED PROPERTY, CAN I SIMPLY LEAVE THE SCENE OF THE ACCIDENT?

No! If you leave the scene of an accident without fulfilling specific statutory obligations—no matter how minor your accident seems—you can be found guilty of a hit-and-run, or fleeing the scene of an accident. A conviction for hit-and-run will automatically add 12 points to your driver's license, and you may spend time in jail and be forced to pay serious fines.

If you hit a parked car or other unattended property, you should try to find the owner of the property and inform them of the accident. If you can not locate the owner, then you must leave a visible note on the property with your name and contact information.



SHOULD I APOLOGIZE TO OTHER DRIVERS AND/OR PASSENGERS WHO WERE INVOLVED IN MY CAR ACCIDENT?

Whether you believe the accident was your fault or not, try to avoid apologizing or making other comments which suggest you were responsible for the collision. Issues of liability for a car accident are not always cut and dry and can be complicated, and any statements you make could be used against you by insurance companies or the other driver(s) if your case is litigated.

DO I HAVE TO CALL THE POLICE TO REPORT MY ACCIDENT IF IT WAS A MINOR FENDER BENDER?



Though you are not required to call the police if you are involved in a minor fender bender and no one is injured, it is best to do so. Injuries from even minor car accidents can be serious and may not present themselves until days after your accident. If you do sustain injuries, you will want to have official documentation of the collision for your insurance company and as evidence if your car accident case is litigated.

NO ONE APPEARS TO BE INJURED AS A RESULT OF MY CAR ACCIDENT, DO I HAVE TO CALL FOR AN AMBULANCE/ EMERGENCY MEDICAL ASSISTANCE?

If no one appears to be injured as a result of your accident, you do not have to call for emergency medical assistance. However, if it appears that there are even minor injuries, you should call for help because the injuries may be more serious than you think.

IF THE POLICE DO COME TO THE SCENE OF MY ACCIDENT, DO I NEED TO GET A POLICE REPORT?

If the police respond to the scene of your accident, you should always get a police report. The police report will document what occurred and will contain specific details of the scene which you will want to provide to the insurance company and use as evidence in court if your case is litigated. The police report is one of the most important pieces of evidence to have in your accident case.

WHAT INFORMATION DO I NEED TO EXCHANGE WITH THE OTHER DRIVER(S) OR PASSENGERS INVOLVED IN MY CAR ACCIDENT?

Following your accident, you will want to exchange your name, contact information and insurance information with the other drivers involved in the collision. You should also exchange your name and contact information with any passengers who were involved in the accident.



SHOULD I TALK TO EYE WITNESSES OR OBSERVERS OF MY CAR ACCIDENT?

If possible, you should always speak to any eye witnesses who observed your accident. These individuals may have seen something that you did not or may be able to provide details of the accident that you were not aware of. This information can be useful in determining who was at fault for the accident and can be important evidence in court if your case is litigated. Make sure to exchange your name and contact information with any eye witnesses you speak to.



SHOULD I TAKE PICTURES OF THE ACCIDENT SCENE AND THE VEHICLES INVOLVED IN MY COLLISION?

You should try to take pictures of your vehicle, any other vehicles involved in the collision as well as the scene of the accident, if possible. These pictures can be used as evidence in your case and will demonstrate the amount of damage that resulted from your accident.



WHAT DO I TELL MY INSURANCE COMPANY ABOUT MY ACCIDENT?

When speaking with your insurance company about your accident, be as brief as possible and be truthful. If your insurance company believes that you are lying about what took place or that you are omitting important details, they may decide to deny coverage for your accident.

You should also give the name(s) and insurance information of the other driver(s) involved in your accident to your insurance company.

WHAT TYPE OF DAMAGES CAN I RECEIVE FOLLOWING MY CAR ACCIDENT?

Following your car accident, you may be able to recover damages for your medical bills from the other driver(s) who caused the accident or their insurance company. Medical bills include treatment for your injuries as well as any ongoing therapy or rehabilitation that you need.

In addition to damages for your medical bills, you may also be able to recover money for your pain and suffering. These damages aim to compensate you for the emotional toll that the accident had on your health and well being.

However, it is important to note that some auto insurance policies contain provisions that waive your right to damages for pain and suffering, except in cases involving very severe injuries. You should review your policy to ensure that you are not prevented from obtaining pain and suffering damages.

If the injuries you sustain in your accident prevent you from going to work or performing your job, you may also be entitled to damages for lost wages and job opportunities. Your personal injury attorney can help you recover these damages if it is appropriate.

SHOULD I HIRE A PERSONAL INJURY ATTORNEY?

No matter how big or small your car accident was, you should always hire a knowledgeable personal injury attorney—like those at the Law Office of Jeremy Rosenthal—to represent you. Your attorney can negotiate with the insurance companies to get you a larger settlement, and can help minimize your liability if you were at fault.



If you or a loved one has been injured in a car accident, call us to day for a free consultation at (303) 825-2223, or visit us online at www.lawfirmofjeremyrosenthal.com.

