

TRAFFIC ACCIDENTS

What the law says you must do when involved in an accident:

- **On a public road (a road owned by a city, state or other government).** If the motor vehicle you are driving is involved in a collision with persons or property on a public road, you must:
 - Stop and remain at the scene.
 - Provide information (your name and address, your vehicle's license tag number, and the name and address of your vehicle's owner), upon request, to any person injured in the accident, to the owner or operator of the damaged vehicle, or to any police officer at the scene.
 - If an injured person cannot understand and record your information, immediately tell the nearest police authority the accident location, your name and address, and your vehicle license tag number. Stay at the scene until a police officer arrives, unless you are taken away by an emergency vehicle.
 - If the other vehicle is not occupied, attach your name and address, your vehicle's license tag number, and the name and address of your vehicle's owner to a conspicuous place on the vehicle.

- **Not on a public road (a road or other property, like a parking lot or driveway, owned by an individual or private company).** If the motor vehicle you are driving is involved in a collision causing injury or damage to persons or property *not* on a public road, you must:
 - Stop—but not necessarily remain—at the scene.
 - Show your driver's license and give your name and address, your vehicle's license tag number, and the name and address of your vehicle's owner to anyone who asks for it.
 - If the owner or person in charge of any damaged property is not given the information mentioned in the previous bullet, give it to the local police within 24 hours, along with the date, time and location of the accident.

- If the other vehicle is not occupied, attach your name and address, your vehicle's license tag number, and the name and address of your vehicle's owner to a conspicuous place on the vehicle.
- **If there is damage to property on or next to a public road.** If the motor vehicle you are operating is involved in an accident causing damage to real property (such as land or buildings) or personal property that is attached to real property (such as crops, mailboxes, signs or vehicles), and that property is legally on or next to a public road, you must:
 - Stop—but not necessarily remain—at the scene.
 - Take reasonable steps to locate and notify the owner or person in charge of the property about the accident, providing your name and address, and the vehicle's license tag number, even if you are not asked for it. Show your driver's license to the owner or person in charge of the property, if you are asked for it and it is available.
 - If you cannot locate the owner or person in charge of any damaged property after a reasonable search, you must, within 24 hours, give the local police your name, address, and vehicle license tag number, along with the accident location and a description of the damage.
 - You do not have to attach any information to the damaged property.
- **In all accident situations.**
 - The law may not always require you to contact the police after a collision, but doing so may be wise; on-the-scene police can help establish the facts of the accident (important if a dispute arises) and safely route traffic around the accident site.
 - It is generally right to give insurance information, show your driver's license, give the vehicle owner's name and address, remain at the scene, or attach a note to damaged property, even in cases when the law does not require it.

- You no longer have to file a crash report with the Bureau of Motor Vehicles (BMV), but you may want to do this if the driver or owner of the other vehicle was not insured.
 - If a police officer at the scene who is enforcing traffic laws asks to see your proof of insurance, you must either show the officer or be able to show it to the court or the BMV, or you may face a license suspension.
 - You must cooperate with your insurance company or risk losing coverage. No one can force you to make a statement or admit fault at the accident scene, and you have a right to talk to an attorney before making any statement.
- **If you are involved in an accident, you should:**
 - **Attend to the injured.** Phone for medical aid immediately. Offer to help any injured persons, but do not move them in a way that would aggravate an injury. You may only be held liable for causing further injury if your actions are found to be willful or wanton misconduct.
 - **Not move vehicles.** Consider not moving your motor vehicle until the police arrive, unless it is creating a traffic hazard.
 - **Record contact information.** Obtain the name, address, phone number, license tag number, and insurance information of every person involved, and get contact information for every witness.
 - **Take notes.** Record the position of vehicles before, during, and after the accident. Note and measure skid marks, point of contact, structures, road markings, damage, traffic control devices, rights of way, speed, road conditions, and weather. Take photos.
 - **Assist police.** Be helpful to any investigating officer, but beware of making self-incriminating statements.
 - **Give insurance report.** Report the accident to your insurance company as soon as possible.
 - **Get legal advice.** If you are required to appear in court on a traffic charge, you should get the advice of an attorney. Do not make payments to other persons or

settle a claim without legal advice. An attorney can explain your legal rights and obligations.

- **If you witness an accident, you should:**
 - **Attend to the injured.** Phone for help. Offer to help any injured persons, but do not aggravate an injury by moving them.
 - **Record contact information.** Get the name, address, phone number, license tag number, and insurance information of every person involved, and get contact information for every witness.
 - **Take notes.** Record the position of vehicles before, during, and after the accident. Note skid marks, point of contact, structures, road markings, damage, traffic control devices, rights of way, speed, road conditions, and weather. Take photos.
 - **Assist police.**
 - **Give contact information.** Give your name and contact information to the police and the parties involved in the accident.