

# How to Act After a Car Accident

A car accident can be a traumatic and scary experience, making it difficult to know how to react. It's important to act quickly to ensure that everyone involved is safe. Knowing how to take action after a car accident can also protect you...

Part 1 of 3:

## Ensuring Safety



**Take a moment to calm down.** You will likely be angry, scared, shocked, nervous, guilty, or a combination of all of these emotions in the aftermath of an accident. The calmer you are, the better you will be able to deal with the situation. Take a few deep breaths or count to ten to steady yourself.<sup>[1]</sup>

2.



**Stay at the scene.** Leaving the scene of an accident, whether you caused the accident or not, can result in serious criminal penalties. The penalties for leaving an injured person at the scene vary from state to state and according to the extent of the injuries, but generally result in fines between \$5,000 and \$20,000 and imprisonment for up to 15 years, in addition to civil damages. Leaving the scene after even minor damage can result in your license being suspended.<sup>[2]</sup>

3.



**Determine any injuries.** The most important thing to do immediately after a car accident is to assess any injuries you or the other drivers and passengers have received. Determine your own safety, then check with the other people involved and, if necessary, immediately call for an ambulance.<sup>[3]</sup>

1. If someone is unconscious or has neck pain, moving them may cause serious harm. Leave them in place until medical personnel arrives, unless leaving them in place would endanger them (i.e. they are lying in traffic, their car is on fire, etc.).

4.



**Call the police.** Even for what looks like a fender-bender, it is still a good idea to call. That way you will have an official record of the accident, which will help protect you in case the other party sues you or disputes your account of the accident.<sup>[4]</sup> Police can also dispatch assistance in the event of a serious accident.

1. Stay on the phone with the police until they arrive or instruct you to hang up. Many 911 operators can provide safety instructions.<sup>[5]</sup>
2. Ask that a police report be filed. This report will help when filing insurance claims and in the event of a lawsuit.<sup>[6]</sup> In some states, police will only file a report if injuries are involved. In this case, file a state vehicle accident report, available at police stations or on the Department of Motor Vehicles website.<sup>[7]</sup>
3. Obtain the name and badge numbers of the police who arrive, in case your insurance agent or lawyer needs to contact them.<sup>[8]</sup>

5.



**Move your vehicle, if possible.** If you can safely drive your vehicle, move it off to the side of the road and out of the path of oncoming traffic. This will keep you at a safe distance from traffic while you exchange information with the other drivers and make it easier for police and ambulance workers to reach the scene of the accident.<sup>[9]</sup>



**Turn on hazards and set up cones or flares if you can't move your car.** Particularly on the highway, anything you can do to alert oncoming traffic that there is a disabled vehicle in the road will increase your safety.<sup>[10]</sup>



**Stay in your car with your seatbelt fastened.** Don't try to cross traffic to get off the road, and don't stand next to a car that is stranded in traffic or on the shoulder. People who get out of their car are killed or injured more often than those who stay inside.<sup>[11]</sup>

1. However, if you smell gas, get out of your car right away. This could signal a fuel leak that could lead to a fire or explosion.<sup>[12]</sup>

## Gathering Information



1.

**Exchange information.** Get the names and phone numbers of all the other drivers involved in the traffic accident. Write down the make, model, year and license plate number of each vehicle. Be sure to obtain all insurance information including the company, policy number and any insurance agent contact information the driver can provide.<sup>[13]</sup>

1. Be polite, but do not apologize. If you say, 'I'm so sorry I hit you,' you may be admitting legal liability for the accident. Try not to admit guilt unnecessarily like this, as it may not be clear who was at fault in the immediate aftermath.<sup>[14]</sup>
2. Be wary of identity theft. Criminals sometimes stage fender-benders in order to obtain the information needed to steal another motorist's identity.
3. Never give out your social security number or let another driver take a picture of your driver's license. For safety reasons, don't provide your home address, either.

2.



**Talk to witnesses.** Obtain names and contact information for any witnesses of the accident. Write down their account of what happened and make sure they agree to let your attorney or insurance agent contact and question them. They may be helpful if the other driver disputes your account of the accident.

3.



**Take pictures.** Photograph damage to your car and the other vehicles involved in the accident. Also take photos of the accident location and the people involved. This will help document the damage when you submit an accident claim to your insurance company. It will also help protect you in the event the other motorist claims more serious injury or car damage than actually occurred.<sup>[15]</sup>

Part 3 of 3:

## Dealing with Claims and Lawsuits

1.



**File an insurance claim.** Immediately report the car accident to your insurance company. Also provide the insurance company with information on the other driver. Immediately filing a claim will speed up the process of getting your car repaired and securing a rental vehicle, if necessary. Do not lie when stating the facts of the accident, as this can result in denial of your coverage.<sup>[16]</sup>

1. The other driver may suggest not filing claims in the event of a small accident, as filing a claim will raise your rates. However, it is always a good idea to file a claim to protect yourself. The other driver may later change his mind and file a claim, even claiming injuries that weren't apparent at the time of the accident. You want to be sure your insurance company has your version of the accident as soon as possible.<sup>[17]</sup>

2.

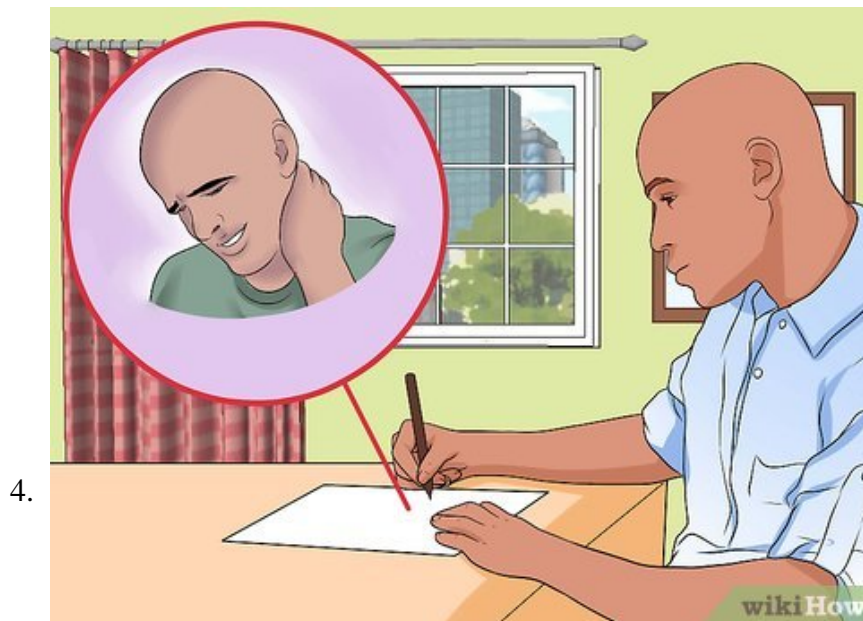


**Consider hiring a lawyer.** Particularly if anyone was hurt in the accident, hiring a lawyer is a good idea. A lawyer can help you maximize your reward if you have been injured, or defend you if the other motorist was injured.<sup>[18]</sup> Legal professionals understand the local laws and court systems that apply to your specific case. They manage the paperwork and talk to insurance adjusters so you can focus on your

recovery. If you are in Nevada, for instance, finding specialized [help after a car accident in Las Vegas](#) is often the best way to protect your rights. These experts know how to calculate the true cost of your medical bills and property damage. Having a representative ensures that you do not accept a settlement that is too low for your needs .



**Document medical treatment.** Keep records of any hospital visits, tests, prescriptions or other expenses that arise as a result of your auto accident. This information will be needed by your insurance company and attorney.



**Keep track of pain and suffering and lost wages.** If the accident impacts your life to the extent that you decide to file a personal injury suit, you can claim damages for mental and physical distress and/or lost wages, as well as medical treatment. Keep a diary of how the injuries impact your life, including missed workdays, routine activities you cannot undertake, and changes to you family life.<sup>[19]</sup>



**Get an insurance company damage valuation.** This will determine how much your company, or the other motorist's company if they were at fault, is willing to pay to replace or fix your car. If you think the number is too low, get your own independent estimates, and then discuss them with your adjuster.<sup>[20]</sup>



**Protect yourself from insurance companies.** Certainly the other motorist's company, and perhaps your own, may not have your best interests at heart.<sup>[21]</sup>

1. If the other motorist's insurance company calls you, politely refuse to discuss the accident with them and mention the call to your own insurance company or lawyer.
2. If your company offers you an early settlement, do not sign it until you are sure you will be compensated for all your injuries. Some injuries – particularly back and neck ones caused by whiplash – might not show up or reach their maximum level of pain until weeks or even months after the accident.

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