



“THE 14 SECRETS TO PROTECTING YOURSELF AFTER A CAR ACCIDENT — AND ONE THING YOU SHOULD DO BEFORE AN ACCIDENT.”

1. Before you have an accident. Keep an emergency kit in your glove compartment. Drivers should carry a cell phone, as well as a pen and paper for taking notes, a disposable camera to take photos of the vehicles at the scene, and a card with information about medical allergies or conditions that may require special attention if there are serious injuries. A set of cones, warning triangles or emergency flares should be kept in the trunk.

2. If you have an accident: Stop. Whether the accident involves a pedestrian, a moving car, a parked car or someone's property, if you drive away, you can be charged with “hit and run” even if the accident was not your fault.

3. Move vehicles to safety. Make every effort to prevent further accidents. You may be liable for damages to approaching vehicles unless they are properly

warned. Do not move your car too far. Make sure to turn on hazard lights and set out cones, flares or warning triangles, if possible. If your car can't be driven, have the emergency responders call a tow truck. Get the name, address and telephone number of the towing company and, if you can, find out where it is taking your car.

4. Move people to safety. Check for injuries. Everyone who can walk should move to safety.

5. Call for help. As soon as you can get to a telephone, call 911. Explain the situation and give the exact location of the accident, so that help can arrive quickly. Be sure to mention whether you need an ambulance or a fire engine. Remain on the telephone until the operator tells you it is okay to hang up.

6. Cooperate with the authorities. In New York State if you are involved in a vehicle accident causing injury to person or property, you are required to stop and give your name, address, and show your driver's license and insurance identification card to the person who is injured or whose property is damaged, or to a police officer. If such information isn't available at the scene of the accident, it must be given to the nearest police station or judicial officer as soon as possible. Be sure to cooperate with the police officer investigating the case. But, stick to the facts. For instance, if you were driving 30 miles an hour, say so. Do not say, “I wasn't speeding.”

7. Tell the police the truth. Follow police instructions carefully. Note the officer's name and precinct number, command, or barracks. Ask how you can get a copy of the police accident report.

8. But don't admit fault. Do not volunteer any information about who was to blame for the accident. You may think you are in the wrong and then learn that the other driver is as much or more to blame than you are. You should first talk to your insurance agent, your lawyer, or both. Anything you say to the police or the other driver can be used against you later. Do not agree to pay for damages or sign any paper except a traffic ticket until you check with your insurance company or lawyer.

9. Document what happened. Make a note of the details of the accident, including date and time, road conditions, weather conditions and speed of all other cars involved. It also is a good idea to draw a diagram of the accident showing the position and direction of the cars just prior to and after the accident: make a written description of each car, including year, make, model and color and the exact location of the collision and how it happened.

10. Take photographs. Use your camera to document the damage to all the vehicles. (Use a cell phone-camera if you have nothing else.) Keep in mind that you want your photos to show the overall context of the accident. Take your own photographs even if the police take photographs or you believe that your

mechanic or insurance company will take them. Photograph: (a) any broken parts, inside or outside the vehicle such as dashboard, windshield, seat, broken glass or lenses, bumper that fell off, etc.; (b) vehicle license plates; (c) skid marks; (d) street signs; and, (e) injuries to persons involved in the accident. Take the photos from different angles and positions. Take more photographs than you think you'll need. **ALWAYS HAVE SOMEONE WATCH FOR TRAFFIC.**

11. Exchange information. After the accident, exchange the following information: name, address, phone number, driver license number, policy number, driver license number and license plate number for the driver and the owner of each vehicle. If the driver's name is different from the name of the insured, take down the name and address for each individual. If possible, obtain the names of the insurance companies and the policy numbers covering the other autos in the accident. By law, an insurance policy information card must be carried in every vehicle licensed in New York State. These cards can be your source for such information.

12. Get witness information. If there are witnesses, try to get their names, addresses and telephone numbers; they may be able to help you if the other drivers dispute your version of what happened. Ask them to stay to talk to the police. If they refuse to identify themselves, jot down the license plate numbers of their automobiles. Do not discuss the accident with the witnesses.

Do not give their names to anyone but the police, your attorney or your insurance company.

13. Report to your insurance company. Remember to call your insurance company or insurance broker immediately after the accident. Don't forget to send written notice to your insurance company as soon as possible. The notice should include the time, place and circumstances of the accident. If you fail to notify your insurance company of the accident in writing within a reasonable time, this could be grounds for the company's denying any obligation to protect your interests in the event a claim is made against you. Also, make sure your report contains the names of all injured persons and drivers and the names of all available witnesses.

14. Report to Albany. The law requires that the operator of a vehicle involved in an accident in New York State in which a person is killed or injured or one in which damage to the property of any person, in a written report with the Commissioner of Motor Vehicles within 10 days. If the operator is unable to make such a report, another participant must make it. Remember to keep copies for your records. This report form, known as an MV-104, may be obtained from the Department of Motor Vehicles or its web site (over the Internet). Often, your insurance company, insurance broker or attorney can send you the form.

15. Call an attorney. Consult an attorney who is experienced in accident cases if you or a loved one is hurt. Ask lots of questions.

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