



**KNOW YOUR RIGHTS:
WHAT TO DO AFTER A VEHICLE COLLISION**
by Shaana A. Rahman

www.rahmanlawsf.com

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WHY YOU SHOULD READ THIS GUIDE

Being involved in any type of collision can be frightening and leave you feeling afraid, dazed and overwhelmed. Each day we speak with people who have been injured in vehicle collisions. While the types of collisions vary from car, bicycle, motorcycle, truck and bus collisions to light-rail, cable car and train collisions, the questions people have about what to do next are the same. The information you are about to read provides answers to these frequently asked questions. This guide was designed to help prepare you for an event we hope you never have to experience. Taking 5 minutes to read this guide will ensure that in the event of a collision, you will be prepared.

Our guide also contains a “Collision Kit” which will help you document all the necessary information at the scene of a collision.

Before You Get Out of the Car

Stop	Injuries	Move Your Vehicle	Hazard Lights	Call 911
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- **Stop!** The law requires that if you are involved in a car accident you must stop and remain at the scene.
- **Injuries:** Assess whether you or any of your passengers have been injured. Do not move anyone if there is a possibility that moving them could cause further injury.
- **Move your vehicle:** If your vehicle is in danger of being hit by other traffic, or if you cannot safely exit your vehicle, move to the side of the road. If your vehicle is safe where it is, do not move it and wait for the police so that photographs and measurements can be taken.
- **Hazard Lights:** Turn your vehicle off, put on your emergency brake and turn on your hazard lights.
- **Call 911:** Report the collision and get emergency services. Call 911 even if no one is severely injured. Sometimes, when a collision first happens, the shock and adrenaline will make it difficult to identify injuries so if there is any question as to whether someone is injured, request emergency services. If the paramedics recommend that you be taken to the hospital by ambulance, or be examined at the scene, do not refuse.

After You Exit the Car

**Everyone
OK?**

**Wait for the
Police**

**Exchange
Information**

Witnesses

Photographs

- **Everyone OK?:** Ask the other driver if anyone is injured.
- **Wait for the Police:** Ask the other driver to wait for the police.
- **Exchange Information:** Get as much information about the other driver as possible (full name, address, phone number, driver's license number, license plate number, a description of the driver and the vehicle, and insurance information). Provide your name, phone number and insurance information.
- **Witnesses:** If possible, talk to any witnesses and get their names and phone numbers. Ask for business cards. This will make it easier to contact them.
- **Photographs:** Take photographs as soon as possible and when it is safe to do so. Use a cellular phone or disposable camera to take photographs of the location of the crash, damage to vehicles, skid marks, debris on the road like broken taillights, damage to the road and anything else that might have contributed to the collision.

Talking to the Police

Be Helpful

Be Truthful

Get the Report

When the police arrive, it is very important that you remain calm and answer the officer's questions truthfully and accurately.

- **Give a Statement:** Answer all questions truthfully using facts you know. Do not try to guess about what happened. If you are hurt and are taken by ambulance to the hospital, an officer may try to take your statement in the hospital. If you have been given pain medication or are in such pain that it is difficult to provide a clear statement, tell the officer that you would like to give the statement after you are released from the hospital.
- **Be helpful:** If you have any names or phone numbers for any witnesses, provide them to the police.
- **Police Report:** Request that the police officer create a report. Get the report number, and the officer's name and badge number. If the police do not come to the scene, go to the nearest police station and file a counter report.

After the Collision

Medical Treatment	More Photographs	Write Out the Facts	DMV	Talk to Your Insurance Company	Get a Copy of the Police Report
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- **Medical treatment:** If you were injured in the crash it is important to have immediate medical treatment.
- **Photographs:** Take photographs of your injuries, your vehicle, (including the interior) and any personal property that was damaged (clothing, glasses, computer equipment etc.).
- **Write it out:** As soon as you can, write a description of what happened and create a diagram of the scene. This should not be given to anyone other than your lawyer.
- **DMV:** If anyone was injured in the collision or if there was more than \$750.00 of property damage, you are required to notify the DMV by completing the DMV SR-1 Report of Traffic Accident.
(<http://www.dmv.ca.gov/forms/sr/sr1.pdf>)
- **Your Insurance Company:** Notify your insurance company of the collision and give them the information for the other driver, witness names, and the police report number.

After the Collision

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- **Other Driver's Insurance Company:** You are not required to speak with the other driver's insurance company. After you notify your own insurance company, they will handle contacting the other driver and the insurance company. You are not required to provide a recorded statement to the other insurance company, sign any papers allowing them to obtain your medical records, or allow them to personally interview you. Before having any contact with the other party's insurance company, you should contact a lawyer to understand your rights.
- **Request a Copy of the Police Report:** The requirements to obtain a copy of the police report vary from city to city. Call the police department and ask them for their requirements.

Your Rights		
Injuries	Property Damage	Other Losses

If you have been injured in a collision or a loved one has died in a collision, you and your family may be able to recover for your losses. A personal injury occurs when a person suffers an injury, either physical or psychological, as a result of another person's negligence. If a person's acts or omissions are negligent and cause harm to someone, the negligent person can be held responsible in our civil justice system. If you have been involved in a traffic accident, you have probably been faced with medical bills, loss of income from your job and possibly permanent injuries. You may be able to recover the following damages:

- Medical expenses
- Property losses
- Lost wages
- Pain and suffering
- Loss of marital services and/or support

COLLISION KIT

Date of Collision:	Location:
Police Officer Name:	
Police Report No:	

OTHER DRIVER

Name:	
Phone No:	
Address:	
License No:	
Insurance Policy No:	License Plate No:
Make:	Model/Color:

WITNESS 1

Name:	
Phone No:	Email:
Address:	

WITNESS 2

Name:	
Phone No:	Email:
Address:	

QUICK COLLISION CHECKLIST

- CALL 911 IF ANYONE IS INJURED
- Exchange information with all drivers
- Get witness information
- Take photos with a cell phone camera
- Talk to the police
- Talk to a qualified personal injury lawyer in your area

RAHMAN LAW PC

369 Pine Street, Suite 600

San Francisco, Calif. 94104

p. 415.956.9245

f. 415.956-9246

www.rahmanlawsf.com

info@rahmanlawsf.com