



Personal Injury
Specialist

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Automobile Accident Checklist

When you are involved in an automobile accident, it is often scary, stressful and intimidating to deal with the other driver, witnesses, police and insurance companies. After being involved in an accident, people often say "If I had only known what to do." This checklist is intended to provide you a list of things that you should think about when you are involved in an accident. Although not exhaustive, this list will cover most of the basics.



Alan L. Pitcaithley has been practicing law for over 40 years.

His practice is devoted 100% to accident related personal injury cases (auto, truck, motorcycle, boating, pedestrian, recreational vehicles, bicycle, skateboard, roll over and pile up accidents, slip, trip and fall, animal, dog attacks, defective construction, and burn injuries. Atty. Pitcaithley has achieved million dollar verdicts and settlements on behalf of his clients over his long career in this specialized area of the law.

For more complete information go to:
www.injuryvictimlaw.org

Safety First:

Emergency Brake Put your emergency brake on so that your vehicle does not move. You do not want your vehicle to roll into a dangerous area, cause injury to another person, or damage to personal property.

Emergency Hazard Lights Turn on your hazard lights in order to warn other vehicles that an accident has occurred. A significant number of injuries occur in secondary accidents because traffic is not alerted to the first accident. Place cones, warning triangles, or flares when available.

Check for Injuries Check yourself, passengers and others for possible injuries. Always assist those with the most severe injuries first. Do not move anyone when you believe that it may cause further injury to the person. Call 911 for emergency services as soon as possible to obtain medical assistance when appropriate.

Exit Vehicle Following an automobile accident, the vehicle is often damaged and in a potentially dangerous situation. It is often safest to exit the vehicle and move behind a physical barrier so that you are not in danger of being hit by other vehicles or traffic.

Call Police Once in a safe place, call 911 and report the accident. You will need to provide your name, telephone number, address of the incident (cross street), number of vehicles and persons involved.

Preserve Evidence:

Identify Vehicles You should write down for each vehicle the make, year, model, license plate number, and vehicle identification number. When possible, describe the vehicle color and any damage to the vehicle. Check to see if any air bags deployed.

Identify Witnesses You should write down for each potential witness, their name, address, telephone number, which vehicle they were in, and a brief statement. If someone drives off after the accident, try to write down the vehicle license plate number and provide a brief description of the person and what they would have seen. It is important to obtain the driver's license and insurance card for the other driver. This way you can confirm the identity of the driver, the owner of the vehicle and the appropriate insurance company. You should be suspicious if the other driver cannot produce this information and should insist that all parties speak with the police before anyone leaves.

Take Photographs If you or someone else can take photographs or video of the scene of the accident and each of the vehicle you should do so as soon as possible before vehicles or evidence is removed. Try to take a photograph that shows as much of the scene in it as possible, then take specific photographs of each vehicle and any skid marks or other marks that show the path of the vehicles either before or after the incident. Remember that most cellular phones and other electronic devices can now take photographs.

Create a Diagram When possible try to create a diagram of the accident scene that provides an outline of the street, cross streets, driveways, crosswalks, stop signs, traffic light and street lights. Show where the vehicles came to rest, any other markings like skid marks, scratches, damage to the road way or physical objects.

Speak to the Investigating Police Officer Make sure you are polite and cooperative with the police officer. Obtain the police officer's name and badge number. You may provide a statement, but stick to the facts (what you saw, heard or felt). Do not speculate about what happened, what other people must have done or thought, or who was at fault. Assist the officer in obtaining each witnesses' information and in obtaining witness statements from as many people as possible. If asked, do not guess about the nature of your injuries. If you don't feel that you need immediate medical attention, tell the officer that you will contact your doctor for a full examination.

Seek Medical Consultation It is important to seek medical assistance if you have injuries from the motor vehicle incident. Go immediately to either the Emergency Room or your personal physician. A failure to seek medical assistance may be used against you if you seek compensation for your injuries. If emergency personnel suggest that you be taken to a hospital, you should not refuse assistance or transportation. When possible take photographs of your injuries, including scrapes, bruising, swelling, lacerations, puncture wounds, surgical repairs / suturing.

Legal Obligations:

Call for Free Consultation
619.295.6900

You Must Stop Every person involved in an automobile accident must stop at the scene of the incident. Failure to stop may result in being cited for a hit-and-run violation.

You Must Contact the Authorities You must notify the local police or California Highway Patrol (CHP) and the Department of Motor Vehicles (DMV). Every motor vehicle accident must be reported if there is any injury or the damage exceeds \$1000 (DMV SR-1 Report of Traffic Accident). You should always tell the truth and should only provide a statement to the police officer. You are not required to speak to anyone nor are you required to give a statement to anyone. It is common practice for insurance company representative to insist that you provide a written or recorded statement. There is no obligation for you to provide a statement and it should only be done after consultation with an attorney who specializes in motor vehicle cases.

You Must Exchange Information

Every person at an accident scene is required to exchange personal information with the other individuals that are involved, including name, address, driver's license number, vehicle identifications number, name and address of the car owner, name and address of insurance company along with the insurance policy number. Note: If you have struck a parked car or physical item and the owner is not present, you may not drive away. You must leave in a conspicuous place your name, address, and an explanation of what happened.

You Must Have Automobile Insurance Every driver must have a policy of automobile insurance or other proof of financial responsibility in order to drive a vehicle. Failure to have insurance may affect your legal rights and what compensation you may receive for your injuries.

You Must Provide Reasonable Assistance to the Injured

If you are not a trained medical professional then you should limit the assistance you provide so that you do not make a person's injuries worse. You should provide reasonable assistance that is commensurate with your knowledge and training in first aid and medicine.

Contact an Attorney It is important to contact an attorney as soon as possible regardless of who was at fault for causing the motor vehicle accident. An attorney should advise you regarding what topic areas are appropriate to discuss and who you should speak with about the facts of the incident. It is often better to have an attorney speaking for you and/or making statements for you. You should never make a written or recorded statement without first being advised by an attorney.

Contact with Your Insurance Company You should contact your insurance company as soon as you are able. You will need to provide the insurance company representative with your insurance policy information. You should provide only basic information regarding the date, time, location of the incident, vehicles involved, people involved and basic facts of how the incident occurred. When possible you should speak with an attorney before you contact your insurance company. Remember the insurance company representative does not represent you, she/he represents the interests of the insurance company.

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Date and Time: _____

Location:

Weather Conditions:

Vehicle 1:

Vehicle 2:

[illegible]