Evidence After a Car Accident: Police Reports and Dashcam Video

Evidence from a car crash starts to disappear within hours. Cars are towed and repaired, video is overwritten and witnesses become hard to reach. A car accident lawyer typically starts with the police report and any photos or video, then the data stored in the vehicles. This article explains how each source fits into a claim.

The police report

When officers respond to a crash, they usually prepare a crash report, sometimes called a police report. It usually records who https://caraccidentlawyers.wiki/reference/contingency-fees-and-case-costs/ was driving each vehicle and which insurer covers it, and it often includes a diagram, a short narrative and any citations. In many states, drivers must also report crashes involving injury, death or property damage above a set dollar amount. Copies are usually available from the agency that responded, such as a city police department, a sheriff's office or the state highway patrol, often for a small fee.

Insurers rely heavily on the crash report, but it is not the final word on fault. States differ on whether an officer's opinions can be used at trial. If the report contains a factual error, such as a wrong plate number, the agency may accept a request for a correction or a supplement. A car accident lawyer will check the report against the photos and statements.

Photos and dashcam footage

Dashcam video can show the moments before a crash better than a witness can. Save the original file with its date and time stamp, instead of a phone recording of the screen, and store a backup copy. Nearby businesses, buses and traffic cameras may have recorded the crash too, though many systems record over footage within days or weeks. Photos taken at the scene show vehicle positions, debris, skid marks and road signs, while photos of injuries taken over several weeks can document healing.

The event data recorder

Many passenger vehicles have an event data recorder (EDR). NHTSA describes an EDR as a device that records technical vehicle and occupant information for a brief period, seconds rather than minutes, around the time of a crash. Depending on the vehicle, the data may include speed and brake application as well as seat belt use. NHTSA's rule in 49 CFR Part 563 sets requirements for EDRs in light vehicles that have them. Under the Driver Privacy Act of 2015, EDR data generally belongs to the vehicle owner or lessee, and access by others is limited to situations such as owner consent or a court order.

EDR data can be lost when a car is repaired or sold for salvage. Total loss vehicles are often moved to salvage auctions within weeks, so an automobile accident attorney may send a preservation letter asking that the vehicle be held until the data is downloaded.

Witness statements and medical records

Independent witnesses carry weight because they have no stake in the claim. Collect their names and phone numbers at the scene when it is safe. Medical records link the injuries to the crash, and gaps in treatment are often used by insurers to dispute a claim. A simple file with the claim number and a log of every call with the adjuster makes later questions easier to answer. Pain levels, missed work and appointments are worth

noting in a journal while the details are fresh. This article is general information, not legal advice, and no result can be predicted from it.