Evidence After a Car Accident: Police Reports and Dashcam Video

The evidence in a car crash claim starts to scatter within hours. Vehicles get towed and repaired, video gets recorded over and https://caraccidentlawyers.wiki/topics/claims/ witnesses become hard to reach. A car accident attorney usually looks first at the police report, photos, video and the data stored in the vehicles. This article explains how each source fits into a claim.

The police report

Officers who respond to a crash usually prepare a crash report, often called a police report. It usually records who was driving each vehicle and which insurer covers it, and it often includes a diagram, a short narrative and any citations. Many states also require drivers to report crashes that involve injury, death or property damage above a set amount. Copies usually come from the responding agency, whether that is 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 does not decide fault. Rules on using an officer's opinions at trial vary by state. When a report has a factual error, such as a wrong plate number, the agency may accept a request to correct or supplement it. An auto accident attorney will check the report against the photos and statements.

Video and photo evidence

Dashcam video can show the moments before a crash more clearly than any witness. Save the original file with its date and time stamp, rather than a phone recording of the screen, and make 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. Scene photos can show where the vehicles stopped and the debris and skid marks around them, while photos of injuries taken over several weeks can document healing.

The car's own black box

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 others may access it only in limited situations, such as with the owner's consent or a court order.

EDR data can be lost if the car is repaired or crushed. Insurers often move a total loss vehicle to a salvage auction quickly, so a motor vehicle accident lawyer may send a preservation letter asking that the vehicle be held until the data can be downloaded.

Witness statements and medical records

Independent witnesses carry weight because they have no stake in the claim. Their names and phone numbers should be collected at the scene if it is safe to do so. Medical records link the injuries to the crash, and insurers often point to gaps in treatment 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.