Evidence After a Car Accident: Police Reports and Dashcam Video

The evidence in a car crash claim starts to scatter within hours. Cars are towed and repaired, video gets recorded over and witnesses become harder to find. A car accident lawyer car accident lawyer usually looks first at the police report, photos, video and the data stored in the vehicles. Here is 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 was driving each vehicle and which insurer covers it, along with a diagram, a short narrative and any citations issued. In many states, drivers must also report crashes involving injury, death or property damage above a set dollar amount. Copies usually come from the responding agency, whether that is a city police department, a sheriff's office or the state highway patrol, sometimes for a fee.

Insurers rely heavily on the crash report, but it does not decide fault. States differ on whether an officer's opinions can be used at trial. When a report has a caraccidentlawyers.wiki factual error, such as a wrong plate number, the agency may accept a request to correct or supplement it. A car accident lawyer will check the report against the photos and statements.

Dashcam video and photographs

Dashcam footage can capture the seconds before a crash more clearly than any witness. Save the original file with its date and time stamp, instead of a phone recording of the screen, and store a backup copy. Traffic cameras and nearby businesses may also have recorded the crash, but many systems overwrite 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 car's own black box

Many cars and light trucks carry 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, it may record speed and braking, along with 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. Insurers often move a total loss vehicle to a salvage auction quickly, 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. Their names and phone numbers should be collected at the scene if it is safe to do so. Medical records connect 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 is general information rather than legal advice, and no result can be predicted from it.