Police Reports, Dashcam Video and Car Crash Evidence

The evidence in a car crash claim starts to scatter within hours. Cars are towed and repaired, video is overwritten and witnesses become hard car accident lawyer to reach. A car accident attorney usually looks first at the police report and any photos or video, then the data stored in the vehicles. Here is how each source fits into a claim.

What the police report contains

Officers who respond to a crash usually prepare a crash report, sometimes 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. 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 does not decide fault. Rules on using an officer's opinions at trial vary by state. 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 crash attorney will compare the report with the photos and statements.

Photos and dashcam footage

Dashcam video can show the moments before a crash better than a witness can. Keep the original file with its timestamp, rather than a car accident lawyers near me phone recording of the screen, and make a backup copy. Traffic cameras and nearby businesses may also have recorded the crash, 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 event data recorder

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 others may access it only in limited situations, such as with the owner's 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 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. A short journal of pain levels and missed work, written while the details are fresh, can also help. This article is general information, not legal advice, and no result can be predicted from it.