

WHAT TO DO IF YOU ARE A DRIVER INVOLVED IN AN ACCIDENT

STOP

The first thing you must do is STOP, if you are involved in a road-traffic accident and one or more of the following occurs:

- a person, other than yourself, is injured
- damage is caused to another vehicle or to someone else's property
- an animal has been killed or injured, except in your own vehicle or trailer (an 'animal' is defined as 'any horse, cattle, ass, mule, sheep, pig, goat or dog')

Failing to stop is an offence under the Road Traffic Act.

Once stopped, you should switch off your engine and turn on your hazard warning lights, to alert other road users of your presence.

REMAIN

If you have to stop, you must remain at the scene long enough to provide details, your name and address, and that of the owner of the vehicle (if the you are not the owner), and the registration number of the vehicle, to anyone with reasonable grounds for asking for them. If someone is injured then insurance details must also be exchanged at the time, otherwise the accident must be reported to the police as soon as possible (and no later than 24 hours). This could be, for example, the owner of an injured animal, a relative of someone who is injured, or the police. If you do not exchange those details at the scene, you must report the accident at a police station or to a police constable as soon as you can, and in any case within 24 hours.

RECORD

It is very easy to get distracted after an accident occurs, however you must remember that as well as providing your own details you should also record details of the accident yourself. Things to record:

Other drivers or passengers: Name, address, contact telephone number and any injuries

Other vehicles: Registration number, make and model, colour, distinguishing features and number of passengers

Witnesses: Name, address, contact telephone number and statement

If you have a camera phone take images of the scene, including vehicles and those persons involved.

An app like the free Accident Toolkit* takes you through each step and records all this information for you.

REPORT

If a road traffic accident/collision happened on a road or a public place and the other driver failed to stop or there are injuries then you must report the accident to the police. Also, if you have caused damaged to any roadside property (lights, street signs etc) then you must report the accident.

If both parties stopped at the scene and exchanged names and addresses there is no requirement to report the accident to the police. The policy may vary from force to force but if you want to report the accident/collision to the police then the police are required to take a report of the accident, which will then be investigated. You need to take your driving licence, the photo card and counterpart, insurance and MOT and any details of the offending vehicle.

Note: Reporting the accident to the police by telephone is not sufficient, it must be done in person and you cannot ask someone else to report for you.

You're obliged to do these things not only when you are directly involved in an accident, but also if your vehicle's 'presence' was a factor. If you have any doubts, it's always worth erring on the side of caution, and avoiding any possibility of being charged with an offence for leaving the scene of an accident without supplying your details.

A failure to comply with these obligations can mean two offences are being committed: failing to stop and failing to report. It is possible to be guilty of either or both. The penalties for each offence include a maximum fine of £5,000 and five to ten penalty points. The court also has the power to disqualify you from driving for either offence and is likely to do so when both offences are committed on the same occasion. Failing to stop or report an accident can carry a maximum of six months' imprisonment.

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HARASSED OR INTIMIDATED

Witness intimidation is illegal, so you should inform the police if anyone at the scene of an accident harasses or intimidates you in any way. If it does happen, they are than more likely trying to get you to alter your statement of events in their favour. You should record everything they do or say and a full description of them, including: appearance, clothing, accents, car details etc. You can withhold making any statements until the police arrive. You might be worried that if the police get involved then whoever is intimidating you may well get more difficult to deal with, however, the police are trained to deal with this kind of thing and do so on a regular basis.

TRACING ANOTHER THE VEHICLE OWNER

Unfortunately, although most people are aware of their responsibilities at the scene of an accident, many will panic and choose not to do the legal and correct thing. If you find yourself involved in an accident with someone who refuses to provide you with their details, all hope is not lost. There are other ways to trace the owner of a vehicle.

- Always get the registration number of the car involved. This is extremely important as it will be used to trace the driver and find out other details.
- Always report the incident to the police as soon as possible. The police will be able to trace the owner of the vehicle, even if they aren't the ones involved in the crime, they may know who the driver was.

If the police need to get involved in tracing the owner of the vehicle that has been involved in the collision, they will be able to locate their insurance company also, although they may not always divulge this information to you.

USING THE DVLA

If you live in either Scotland, England or Wales, you are able to contact the DVLA to trace another driver. They can provide you with the name and address of the person who is the registered owner of a certain vehicle. Generally to be able to do this you need to have a valid reason for wanting it. The process of obtaining it involves writing to the DVLA outlining your reasons for needing the information. You can also use the V888 form which is available on the DVLA website. There's a nominal fee of 2.50GBP to get this information, but in doing so, it's essential that you can provide the registration number of the car, as well as the make, model and date of accident.

Ultimately, if you're involved in an accident with someone who is unwilling to provide you with their contact details, it's likely that they either think they're responsible for the accident or simply aren't lawfully in possession of the vehicle. Most people who realise the collision was purely an unfortunate accident will be willing to cooperate with you to resolve the situation as quickly as possible.

ASSIST

If you've been badly injured, it's important you remain where you are and try and stay calm and wait for assistance.

If you are uninjured or only have a minor injury, if you are up to it you should check the condition of others involved. If someone is badly injured do not move them, and call for the emergency services immediately. Anyone with minor injuries should be moved away from the scene to safety and be kept as calm and comfortable as possible.

Knowing basic first aid is essential in many areas of life, so if you have some basic training, use it. Never remove a motorcyclists helmet if they're badly injured or try to remove someone from their injured position if you suspect any broken bones etc.

INSURANCE

It is advisable to contact your insurance company and tell them about the accident as soon as you can after the event, even if you do not want to make a claim. Most car insurance policies specify a time period in which they expect you to report an accident. These time periods can be anything from 48 hours up to in some cases two weeks. Check the wording of your policy carefully after an accident as if you fail to report it within the allotted time period the insurance company is under no obligation to continue with your insurance claim.

Sources: www.trafficaccidentadvice.co.uk, www.askthe.police.uk and www.adviceguide.org.uk



www.accident-toolkit.com

