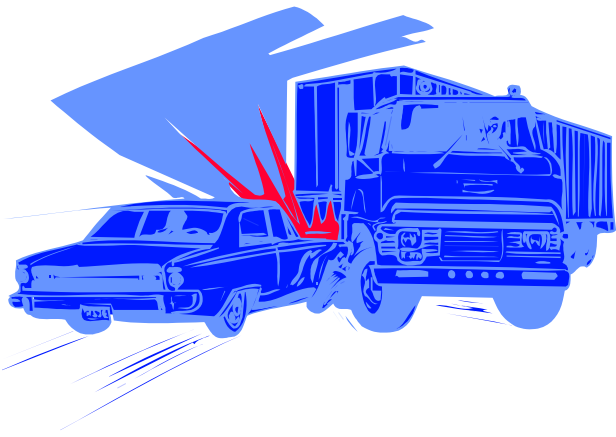


What to Do in Case of an Automobile Accident?



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Accidents will happen

Even the best drivers can be involved in automobile accidents; therefore, we should all know what steps to take immediately following an accident to protect the lives, property and legal rights of those involved. Doing the right thing at the right time may save a life and it can often avoid legal problems.

Stop your car

If you are the driver of a vehicle involved in an accident, never leave the scene. No matter how slight the collision, if you fail to stop you may be subject to criminal prosecution even if the accident was not your fault. There are also legal requirements relating to reporting the accident and providing information to other parties of which you should be aware.

Stop your car as soon as possible without further endangering any person or property and without obstructing traffic. Do whatever you can to warn oncoming traffic in order to prevent further accidents. If possible, station someone in a position to warn approaching vehicles. At night, use flares, reflectors or a flashlight if available.

Give aid to the injured

If any person has been hurt, call a doctor or ambulance. Until help arrives, do all you can to help the injured but be careful. Unless you are proficient at rendering first aid, don't try it. You may make matters worse instead of better. Try to make the injured person warm and comfortable, but do not move him or her unless it is absolutely necessary to protect from further injury.

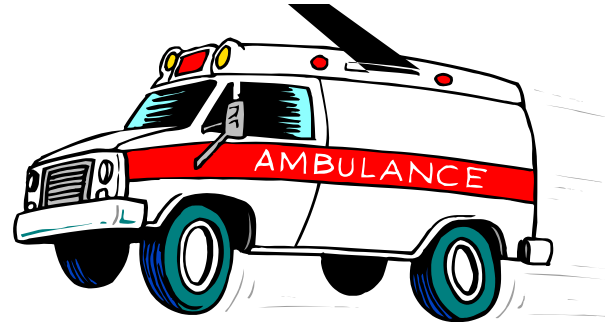
Notify the police

Notify, or have someone notify, the police, sheriff or safety patrol as soon as possible. Some city ordinances require an immediate report to the police by the quickest means of communication. When law enforcement officers arrive, they will handle any injury or other emergency and investigate the accident. Their investigation and report may be helpful to you later if a lawsuit arises from the accident.

Identify others involved; make notes

The law requires that you furnish other parties your name, address, driver's license and vehicle registration. You should also obtain this information from the other party or parties. Make notes of the names and addresses of any witnesses, including passengers in other vehicles.

If it is possible while you are at the scene, draw a diagram of the position of the vehicles before and after the accident. Step off skid marks and other important distances. Make notes of any important aspects of the collision to help you remember them.



Don't comment on the accident

Don't comment impulsively on the accident to anyone. Keep your notes and information to yourself. Do not comment on the cause of the accident, and do not admit fault even if you think you were wrong. You may discover later the other driver was equally or more to blame.

Immediately after an accident you may be emotionally or physically upset to such an extent you will be unable to accurately appraise the situation. There will be time for explanations later. No one has a right to force you to give an opinion as to the cause of the accident, at police headquarters or elsewhere. You have a right to consult an attorney before making a statement.

See your doctor

If you have any doubt about your own condition or that of your passengers, see your doctor immediately and ask them to do likewise. Some of the most serious injuries are not apparent at first. What at first what may seem a minor injury may later turn out to be quite serious. The time lapse before you see a doctor may later be very important.

Reports are required

If anyone is killed or injured in an automobile accident, or if the apparent damage to either or both vehicles is \$500 or more, the drivers of the vehicles involved are required to report the accident to the Nebraska Department of Motor Vehicles within 10 days. The necessary forms can be obtained from the State Patrol, the sheriff, a police officer or your insurance company. The information called for on this form is confidential and cannot be used against you later in court. Your lawyer, if you employ one, should approve the report before you send it in, and you should keep a copy for future reference.

You should also notify your insurance company as soon as possible. Failure to make a prompt report could jeopardize your insurance coverage.

Pay nothing

Make no offer to pay anything to the other party or parties involved in the accident without first consulting your lawyer. Such payment might be at your own cost because your insurance company may not repay you. The other persons involved cannot compel you to make any payment without taking legal action against you; nor can they hold your car without legal action.

Your rights

If you are not certain of your rights, consult a lawyer of your personal choice and carefully consider his or her advice. Be cautious in dealing with people offering to adjust or settle your claim, or anyone seeking to hurry you into a settlement. Do not sign anything without the advice of your attorney. You should also be cautious of any attempt by

a representative of the other party to obtain a statement from you or to influence you against the advice of your own attorney.

While certain types of advertising by attorneys are now permitted, it is unethical for members of the legal profession to solicit legal business in person.



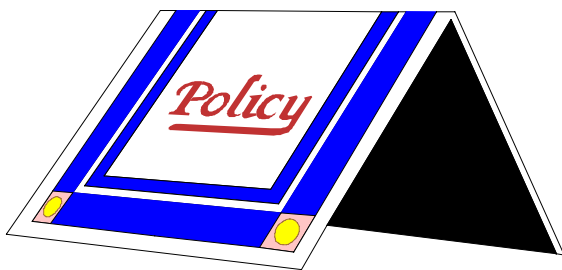
Damages

Awarding monetary damages is the law's way of restoring the wrongfully injured party, as closely as possible, to a position equal to that which existed before the injury. If you are in the right, you may be entitled to recover money for the following:

- ☒ Nature, extent and duration of injuries
- ☒ Pain and suffering from injuries
- ☒ Disability, both temporary and permanent
- ☒ Reasonable expenses resulting from injury
- ☒ Loss of income
- ☒ Value of damage to property

Financial Responsibility Law

Nebraska has a financial responsibility law which requires drivers of motor vehicles who are involved in accidents to furnish proof of financial responsibility to the State. The simplest and best method of providing this proof is to have in force at all times a liability insurance policy of not less than \$25,000 for each person; \$50,000 for each accident, and \$25,000 property damage. While this is the minimum coverage required by law, you should determine for yourself the amount of insurance protection you should have. Failure to comply with the financial responsibility law could lead to the suspension or revocation of your operator's license or vehicle registration.



Automatic License Revocation

A person who operates a motor vehicle in Nebraska automatically consents to submit to a chemical test of blood, urine or breath to determine the amount of alcohol content in the body.

If an operator of a motor vehicle in Nebraska is arrested because a law enforcement officer has probable cause to believe the operator is under the influence of alcohol, that officer can require the operator to submit to a chemical test. If the operator refuses to submit to a chemical test, or the chemical test discloses the concentration of alcohol greater than the legal limit, the law enforcement officer will impound the operator's license and give the operator a temporary license which expires at the end of 30 days.

If the operator wants to contest the impounding of the license, the operator must file a petition with the Director of the Department of Motor Vehicles within ten days of the arrest. Within 20 days of the filing of the petition, the director must have a hearing on the petition. Either 30 days after the arrest or following the requested hearing, the director will rule whether the impounded license should be revoked. For refusal to submit to an alcohol test, the director may revoke a license for one year. For alcohol concentration testing at .10 or greater, the director may revoke a license for 90 days. The penalty for a second revocation is one year if it occurs within twelve years of the first revocation.

This pamphlet, which is issued to inform, not to advise, has been prepared and published by the Nebraska State Bar Association. It is distributed by those who want to help you obtain your rights under the law.



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