How Crash Reports and Dashcam Video Shape a Car Accident Claim

The evidence in a car crash claim starts to scatter within hours. Vehicles get towed and repaired, video is overwritten and witnesses become hard to reach. A car accident lawyer typically starts with the police report and any photos or video, then the data stored in the vehicles. Here is 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 typically lists the drivers and vehicles involved, with insurance details for each, 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 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 is not the final word on 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, caraccidentlawyers.wiki 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 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. 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, and photos of injuries taken over several weeks can show how they changed.

## The event data recorder

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, measured in seconds, not minutes, surrounding 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 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.

## Witnesses and medical records

Independent witnesses carry weight because they have no stake in the claim. Collect their names and phone numbers at the scene when it is safe. Medical records link the injuries to the crash, and gaps in treatment are often used by insurers to dispute a claim. Keeping the claim number in one place, with a log of each call to 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 it does not predict the result of any claim.