Evidence After a Car Accident: Police Reports and Dashcam Video

Evidence from a car crash starts to disappear within hours. Vehicles get towed and repaired, video gets recorded over and witnesses become hard to reach. A car accident attorney typically starts with the police report, photos, video and the data stored in the vehicles. This article explains how each source fits into a claim.

The crash report

When officers respond to a crash, they 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. 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.

A crash report is influential in insurance claims, 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. An auto accident 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. Save the original file with its date and time stamp, instead of a phone recording of the screen, and make a backup copy. Nearby businesses, buses and traffic cameras may have recorded the crash too, though many systems record over 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.

What the vehicle itself recorded

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, measured in seconds, not minutes, around the time of 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 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. Total loss vehicles are often moved to salvage auctions within weeks, so a car accident attorney may send a preservation letter asking the insurer or tow yard to hold the vehicle 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 caraccidentlawyers.wiki 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.