

Passenger/Witness information

Name _____

Address _____

Phone _____

Law enforcement information

Police report filed? Yes No

Officer's name _____

Badge # _____

Citation issued/to whom? _____

If a police report is not filed, be sure to file one for insurance claim purposes.

Description of accident, vehicle/other damage, injuries (if known), towing info. Take photos, if possible.

Contact your insurance agent or company as soon as possible. Provide a copy of this information.

Insurance agency/company information

COMPARATIVE NEGLIGENCE

When settling an insurance claim, you may hear the insurance adjuster use the term "comparative negligence."
Negligence is defined as "the failure to exercise the degree of care required of a reasonable and prudent person in any given circumstance resulting in injury or damage to another."
Simply put, comparative negligence allows a person to recover damages reduced by his/her own percentage of negligence.

In Ohio, parties share the cost of damages from a crash in proportion to their share of negligence. For example, if your negligence is judged to be 50% or less, you may recover damages, minus the percent caused by your own negligence. If you are more than 50% negligent, you may not recover any losses from the other party. This law comes into play most often in crashes, but comparative negligence can apply to home and business-related incidents.

For more, see the Ohio Department of Insurance (ODI) information sheet at: <http://bit.ly/2ml3Ehs>.

ONLINE RESOURCES

- All OII consumer *Fact Pak* brochures: <http://bit.ly/2mqT01O>
- *Digest of Ohio Motor Vehicle Laws*: <http://1.usa.gov/1ZKHxFq>
- ODI comparative negligence: <http://bit.ly/2ml3Ehs>
- Ohio's FR Law brochure: <http://bit.ly/1HAoiy>
- Ohio drivers license info: <http://1.usa.gov/1Z2ORzo>
- Ohio Motor Vehicle Crash Report form: <http://bit.ly/hrdJFY>

FOR MORE CONSUMER INFORMATION
OII offers free consumer brochures covering a variety of homeowners and auto insurance issues, consumer safety tips and insurance laws. Visit www.ohioinsurance.org for a variety of consumer-related materials.



Representing Ohio's property/casualty insurance industry

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**CONSUMER
FACT • PAK**



Auto Accident Checklist

- Be Prepared
- At The Crash Scene
- Ohio Laws Pertaining To Accidents
- Auto Accident Checklist
- Comparative Negligence
- Online Resources



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Being involved in a crash can temporarily affect your ability to think clearly. This brochure explains the steps to follow if involved in a crash.

BE PREPARED

- Keep a copy of this brochure in your vehicle along with a disposable camera, especially if you don't carry a camera-ready smartphone.
- If your insurer offers a free smartphone app to help document accident details, download it before you need it. Another option is the National Association of Insurance Commissioners free WreckCheck app (<http://bit.ly/1OLt1di>) that records the time of the accident, lets you create written and audio details, and emails the info to you or your insurer.

AT THE CRASH SCENE

- Safety first! Most major highway systems have signs posted to remind drivers to move damaged vehicles to the side of the road, providing there are no injuries and the vehicles are moveable. This helps alleviate congestion.
- Also keep a safe distance from the roadway to avoid being hit by a passerby.
- Call law enforcement. Be sure to follow their instructions. Don't leave until you have spoken to the officer.

DOCUMENT THE CRASH

- Note the time and location of the accident.
- Obtain names, addresses and phone numbers of witnesses.
- Get the names, addresses and phone numbers of those injured, if possible.
- Take photos if safe, including damaged vehicles, license plates and damage to other property at the accident scene.
- If you don't have a smartphone app, make a sketch of the accident scene, including the

direction and speed of each vehicle. Include the names of streets, highways and intersections.

- For your protection, make no comment or statement about the accident except to law enforcement officials or an identified representative of your insurance company.
- Obtain name and badge number of the attending law enforcement officer and related citation information.
- Obtain information about the other vehicles involved in the accident, including:
 - License plate numbers
 - Vehicle description (make, model and color)
 - Insurance company information, including company/agent/phone/policy number.
 - Take a picture of insurance cards with your smartphone, if possible. NOTE: If you are not provided insurance documentation from the other driver, secure their address, phone and drivers license number. Do not photograph licenses belonging to other drivers or have yours photographed to protect your ID.
- Passenger/witness names, addresses and phone numbers
- Report the accident promptly to your insurance agent or company. Generally, you will be expected to furnish the following information:
 - Your name and the name on your policy
 - Address
 - Policy number
 - Car's make and model year
 - Date, time and location of accident
 - Injury information
 - Witness information
 - Whether your car is operable and its location
 - Information on other driver(s)/passenger(s) involved

Consider filing a Motor Vehicle Crash Report (Form 3303) with the Ohio Bureau of Motor Vehicles (BMV) within six months of the crash if you suspect the other driver was uninsured or not meeting FR compliance. This filing is optional and applies to crashes causing death or injuries over \$500 or more than \$400 in property damage. If a report is filed, the driver will be required to provide the BMV with FR proof. Crash report forms are available from law enforcement, your insurer and online at <http://bit.ly/hrdJFY>.

FINANCIAL RESPONSIBILITY (FR)

Ohio's FR law requires drivers to be insured or have other arrangements to pay for injuries or damages they cause in the event of a crash. If you choose to comply with the FR law through insurance, state minimum limits are: Bodily injury liability—\$25,000 per person and \$50,000 per accident; property damage liability—\$25,000 per accident.

ID cards can be used to satisfy proof of FR and should be kept in a safe, accessible location. Insurance companies issue insurance cards to their policyholders for all new and renewal business.

Insurers may also provide these cards in electronic form for display on smart phones, tablets and other electronic devices.

Proof of FR is required if you are stopped for a moving violation, a vehicle safety check, involved in a traffic accident, as well as other situations such as a court appearance or upon BMV request.

For more information on Ohio's FR law, including penalties for law violation, see the FR Law *Fact Pak* brochure at <http://bit.ly/IHAoiy>.

AUTO ACCIDENT CHECKLIST

Accident information
 Date _____
 Time _____
 Location _____

Other vehicle information
 Driver's name _____
 Make _____
 Model _____
 Color _____
 License Plate No. _____
 Damage _____

Insurance company information
 Insurance company _____
 Agent/agency _____
 Phone _____
 Policy number _____
 Expiration date _____

If insurance information is not provided
 Driver address (from license) _____
 Phone No. _____
 Email _____
 Drivers License No. _____

Other vehicle information
 Driver's Name _____
 Make _____
 Model _____
 Color _____
 License Plate No. _____
 Damage _____

Passenger/Witness information
 Name _____
 Address _____
 Phone _____

Passenger/Witness information
 Name _____
 Address _____
 Phone _____