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CALIFORNIA CAR ACCIDENT GUIDE

What to Do After a Collision

Your Step-by-Step Roadmap to Protecting Your Rights, Health, and Financial Recovery

Prepared for viewers of our YouTube & Instagram community

California · 2026

I. Immediate Steps at the Accident Scene

The moments immediately following a car accident are critical. Your actions in those first few minutes can significantly affect your physical safety, your legal rights, and your ability to seek fair compensation. Stay as calm as possible and follow these steps in order.

Step 1 — Ensure Safety First

Your top priority is the safety of everyone at the scene. Before anything else, take a breath and assess the situation around you.

Check for injuries. Assess yourself and all passengers for visible injuries. Even if injuries appear minor, always err on the side of caution — some injuries such as whiplash, concussions, or internal bleeding may not be immediately apparent. If anyone is injured, call **911 immediately**.

Move to a safe location. If it is safe to do so and the vehicles are drivable, move them to the shoulder or side of the road to prevent secondary collisions. Turn on your hazard lights to alert approaching drivers.

Do not leave the scene. Leaving the scene of an accident — especially one involving injury — is a criminal offense in California known as a hit-and-run, and carries severe legal penalties.

Step 2 — Call 911 and Contact Emergency Services

Even when injuries appear minor, it is advisable to call the police and have an official report filed. A police report is one of the most important documents you can have for your insurance claim or any future legal proceedings.

Cooperate with law enforcement. When officers arrive, provide a clear, factual account of what happened. Stick to the facts and avoid speculating about fault or cause.

Obtain the police report number. Ask the responding officer for the report number and their name and badge number. You can use this to obtain a full copy of the report later from the relevant law enforcement agency.

Step 3 — Exchange Information

Gathering complete information from all parties involved is essential for filing an insurance claim. Use the table below as a checklist:

Information to Collect	Why It Matters
Full name, address, and phone number	To identify and contact the other party
Insurance company and policy number	To initiate the claims process
Driver's license number	To verify the driver's identity
License plate number	For vehicle identification

Vehicle make, model, year, and color	For accurate accident documentation
Names and contact info of witnesses	To support your account of events

Step 4 — Document the Scene

Thorough documentation of the accident scene provides powerful evidence to support your insurance claim and any legal proceedings. Your smartphone is your best tool here.

Photograph everything. Take photos of all vehicles involved from multiple angles, capturing visible damage, skid marks, road conditions, weather, traffic signs, and the overall scene layout.

Record witness statements. With the witness's consent, use your phone to record their account of what they saw. At a minimum, collect their name and contact information.

Note the time and location. Record the exact time, date, and location of the accident, including the direction each vehicle was traveling.

II. Seek Medical Attention Promptly

One of the most important — and most frequently overlooked — steps after a car accident is seeking prompt medical evaluation. Even if you feel fine at the scene, certain injuries may not manifest symptoms for hours or even days after the collision.

Hidden injuries are common. Conditions such as whiplash, traumatic brain injuries, soft tissue damage, and internal bleeding may not produce immediate pain or visible symptoms. A medical professional can identify these issues early and begin appropriate treatment.

Medical records protect your claim. Seeking prompt medical attention creates an official, time-stamped record linking your injuries to the accident. This documentation is critical for insurance claims and any potential personal injury lawsuit.

Follow your treatment plan. Adhere to all medical advice and follow-up appointments. Gaps in treatment can be used by insurance companies to argue that your injuries were not serious or were not caused by the accident.

Keep all records. Retain copies of every medical bill, prescription, doctor's note, and treatment record. These documents form the foundation of your damages claim.

■ IMPORTANT: Do not delay medical treatment. Even if you feel fine, visit an urgent care clinic or emergency room within 24–48 hours of the accident. Delaying treatment can harm both your health and your legal claim.

III. Reporting Requirements in California

California law imposes specific reporting obligations on drivers involved in accidents. Failing to comply with these requirements can result in serious legal consequences, including suspension of your driving privilege.

1. Report to Law Enforcement Within 24 Hours

If anyone is injured or killed in the accident, you or your representative must report the collision to law enforcement within **24 hours**. This report can be made to either the California Highway Patrol (CHP) or the local police department.

2. File an SR-1 Form with the DMV Within 10 Days

You must file a **Report of Traffic Accident Occurring in California (SR-1)** with the California DMV within **10 days** of the accident if:

- The accident caused more than **\$1,000** in property damage.
- Anyone was injured or killed, regardless of how minor the injuries appear.

This requirement applies even if the accident occurred on private property. You must file this report regardless of whether you were at fault. Failure to file can result in suspension of your driver's license. The SR-1 form can be submitted online at dmv.ca.gov/accidentreport.

3. Notify Your Insurance Company

Contact your own insurance company as soon as possible after the accident. Most policies require prompt notification as a condition of coverage. When speaking with your insurer:

Be factual. Provide accurate details about the date, time, location, and circumstances of the accident. Include the police report number if one was filed.

Avoid admitting fault. Do not make any statements that could be interpreted as an admission of fault or liability. Let the insurance companies conduct their own investigation.

Document all communications. Keep a log of every conversation with your insurer, including the date, time, and name of the representative you spoke with.

IV. Understanding Your Legal Rights

California's At-Fault Insurance System

California is an **"at-fault" state**, meaning the driver who is legally responsible for causing the accident is financially liable for the resulting damages. The at-fault driver's insurance company is generally responsible for paying for the other party's medical expenses, vehicle repairs, lost wages, and other damages.

Minimum Insurance Requirements in California

All drivers in California are required by law to carry a minimum level of liability insurance:

Coverage Type	Minimum Required Amount
Bodily Injury — Single Person	\$30,000
Bodily Injury — Per Accident	\$60,000
Property Damage	\$15,000

California's Pure Comparative Negligence Rule

California follows a **"pure comparative negligence"** system. This means that even if you are partially at fault for the accident, you can still recover compensation — but your award will be reduced by your percentage of fault.

For example: If you suffered \$100,000 in damages but are found to be 25% at fault, you can still recover \$75,000 (i.e., \$100,000 reduced by 25%). Unlike some other states, California does not bar recovery even if you are 99% at fault — though your recovery would be minimal.

Statute of Limitations

Type of Claim	Time Limit to File
Personal Injury	2 years from the date of the accident
Property Damage	3 years from the date of the accident
Wrongful Death	2 years from the date of death
Claim Against a Government Entity	6 months to file a government tort claim

Missing the statute of limitations deadline will almost certainly bar you from recovering any compensation, regardless of how strong your case may be. If you are unsure about your deadline, consult a personal injury attorney as soon as possible.

V. Common Mistakes to Avoid

Many accident victims unknowingly take actions that damage their claims. Being aware of these common pitfalls can make a significant difference in the outcome of your case.

1. Admitting Fault at the Scene

Do not apologize or say anything that could be interpreted as an admission of fault — even if you believe you may have contributed to the accident. Fault is a legal determination made after a full investigation, not a split-second judgment at the scene.

2. Providing a Recorded Statement to the Other Driver's Insurer

You are not legally required to give a recorded statement to the at-fault driver's insurance company. These statements are often used to find inconsistencies that can be used against you. Politely decline and consult an attorney first.

3. Saying "I'm Fine" to Anyone

Avoid telling anyone — including police, the other driver, or insurance adjusters — that you are "fine" or "not injured." Adrenaline can mask pain, and symptoms may appear days later. These statements can be used to minimize or deny your injury claim.

4. Delaying Medical Treatment

Gaps in medical treatment give insurance companies ammunition to argue that your injuries were not serious or were caused by something other than the accident. Seek medical care promptly and attend all follow-up appointments.

5. Posting About the Accident on Social Media

Insurance adjusters routinely monitor social media accounts of claimants. A photo of you at a social event or a casual post about "feeling better" can be used to undermine your injury claim. Avoid posting anything related to the accident or your physical condition.

6. Failing to File the SR-1 Form

Many drivers are unaware of the 10-day DMV reporting requirement. Failing to file the SR-1 form when required can result in suspension of your driver's license.

7. Accepting a Quick Settlement Without Legal Advice

Insurance companies may offer a fast, low settlement shortly after the accident — before the full extent of your injuries is known. Once you accept a settlement and sign a release, you typically cannot seek additional compensation. Consult an attorney before accepting any offer.

VI. When to Hire a Personal Injury Attorney

While not every car accident requires legal representation, there are many situations where working with an experienced personal injury attorney can make a substantial difference in the outcome of your case. Most personal injury attorneys in California work on a **contingency fee** basis, meaning you pay nothing unless they win your case.

Situation	Why an Attorney Helps
Serious or permanent injuries	Calculates full lifetime damages including future medical costs
Disputed fault or liability	Investigates, gathers evidence, and builds your legal case
Insurance company denies or lowballs claim	Negotiates aggressively or litigates on your behalf
Uninsured or underinsured driver at fault	Pursues all available avenues for compensation
Government vehicle involved	Navigates complex government tort claim procedures
Multiple parties involved	Manages complex multi-party liability issues
You are unsure of your rights	Provides a free consultation to clarify your options

Most personal injury attorneys offer a free initial consultation. There is no risk in speaking with a lawyer to understand your options after an accident.

VII. Quick Reference Checklist

Use this checklist to ensure you have taken all necessary steps after a car accident in California.

AT THE SCENE

- Checked yourself and passengers for injuries
- Called 911 (if anyone is injured or vehicles block traffic)
- Moved vehicles to a safe location if possible
- Turned on hazard lights
- Exchanged information with all other drivers
- Collected witness names and contact information
- Photographed the scene, vehicles, and any injuries
- Obtained the police report number

WITHIN 24–48 HOURS

- Sought medical evaluation (even if feeling fine)
- Notified your insurance company of the accident
- Reported to law enforcement if anyone was injured (within 24 hours)
- Began documenting all expenses and losses

WITHIN 10 DAYS

- Filed SR-1 form with the California DMV (if required)
- Obtained a copy of the police report
- Consulted a personal injury attorney (if injuries or disputes exist)

ONGOING

- Attended all medical appointments and followed treatment plan
- Kept copies of all medical bills, repair estimates, and receipts
- Logged all communications with insurance companies
- Avoided posting about the accident on social media
- Tracked all lost wages and out-of-pocket expenses

VIII. Key Contacts & Resources

Resource	Contact / Website
California DMV — SR-1 Accident Report	dmv.ca.gov/accidentreport
California Highway Patrol (CHP)	chp.ca.gov 1-800-TELL-CHP
California Department of Insurance	insurance.ca.gov 1-800-927-4357
CA Low Cost Auto Insurance Program	mylowcostauto.com 1-866-602-8861
National Highway Traffic Safety Admin.	nhtsa.gov
Emergency Services	911

LEGAL DISCLAIMER

This guide is provided for general informational purposes only and does not constitute legal advice. The information contained herein is based on California law as of 2026 and is subject to change. Every accident is unique, and the application of the law will vary depending on the specific facts and circumstances of your case. You should consult a licensed California attorney for advice specific to your situation. No attorney-client relationship is created by reading or relying on this guide.

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Ready to Get the Compensation You Deserve?

If you or a loved one has been injured in a car accident in California, you do not have to face the insurance companies alone. For over 25 years, Steven M. Sweat and his team have been fighting for accident victims across Los Angeles and throughout California — recovering hundreds of millions of dollars for clients just like you. We handle the legal battle so you can focus on your recovery.

No Fee Until We Win Your Case. Se Habla Español.

Call or contact us today for your FREE consultation:

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