

DID YOU KNOW???

DMV REPORT REQUIRED UPON ACCIDENT

Recently a friend of mine's car was hit while parked in a shopping center parking lot. An announcement in the store alerted her to the problem. Since the other person admitted to hitting her vehicle, and both were insured by the same insurance company, the only action taken by both drivers was to inform the insurance company of the incident. No police were called, thus no tickets were issued.

The damage estimate for my friend's car was approximately \$2,000. When told about the crash I inquired if she had notified the NYS Department of Motor Vehicles of the incident – she hadn't, nor had her insurance company mentioned it. She was unaware that she had the obligation under NYS Vehicle and Traffic Law (VTL) to do so.

Section 605 of VTL requires reporting an accident (I prefer "collision" rather than "accident", but the wording in VTL uses accident, so I will also) anywhere within the boundaries of New York State under the following conditions:

1. In which any person is killed or injured
2. In which damage to the property of any one person, including himself, in excess of \$1,000 is sustained

This report, normally on DMV form *Report of Motor Vehicle Accident* (MV-104), which can be obtained in any motor vehicle office, from most insurance agents, or on-line at: <https://dmv.ny.gov/forms/mv104.pdf>, must be reported within 10 days of such accident. Reporting a crash or incident to your insurance company *does not* fulfill your legal obligation. You MUST file a report with DMV within 10 days of the event.

The failure to report an accident is a criminal offense (misdemeanor) and may result in the suspension or revocation of your license and/or registration, and also those of the owner. If the driver is injured and unable to complete the report, a passenger or the vehicle owner may do so.

For more articles on traffic law and safety, go to the traffic safety board's web site at: www.franklincony.org and click on "Traffic Safety Board" under departments then look for Did You Know articles under "services". You may also email me at: dwerner151@verizon.net