

NEWS & INSIGHTS

Top 5 accident response tips for truck drivers

INSIGHTSARTICLE

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Accidents happen unexpectedly, even to the best drivers. Knowing what to do beforehand is critical. Proper accident response will better position you to defend yourself and your company if a lawsuit is filed. In some instances, your response may even prevent a lawsuit. Below are the top 5 tips to keep in mind when preparing to respond to an accident.

1. **Pictures:** If it is safe to do so, take pictures of:

- All sides of the vehicles involved, including the points of impact
- The roadway, traffic signs, and any marks or debris
- The license plates of any witnesses who stop

It is best to leave the vehicles where they are until the police arrive and ideal if you can leave them there until you have coordinated with a reconstruction expert. If any vehicles must be moved to prevent another accident, try to document their locations as best you can with photos before moving.

Look around for any surveillance cameras nearby that may have captured the accident.

2. **Silence:** Who to talk to and when:

- Do not talk with anyone unless absolutely necessary.
- You will have to talk to your company, your attorney, and first responders. Unless approved by your attorney, do not talk with anyone else.
- DO NOT DISCUSS FAULT WITH OR APOLOGIZE TO ANYONE.

3. **Social media:** Plaintiff attorneys routinely use social media posts against a driver. To make their job more difficult, a driver should:

- Avoid posting ANYTHING on social media about the accident.
- Check your privacy settings regularly. Plaintiffs' attorneys will look for anything they could show a jury that makes you look bad – even content that is unrelated to your driving or the accident.
- While admissibility can be fought, it is better to not have it out there.

4. **Citations:** Just because you were not given any tickets at the scene does not mean you are in the clear. In Pennsylvania, for example, a ticket can be issued up to 30 days after the accident, but if someone claims to be injured, then the time is extended to a year. So make sure to check your mail regularly, as you must respond to citations within 10 days in Pennsylvania.

It is important to know the effect of a citation and your response to it in the state where it occurred. Before pleading guilty to be done with it, talk with your attorney to make sure you know the answers to the following:

- Can my plea be used against me in a civil action?
- Will this cause a suspension of my operating privileges?
- Does this carry points?
- Is this considered a serious or major offense?
- If the accident happened in another state, will my home state penalize me?
- Are there any other potential consequences to be considered in this instance?

Do not forget that Pennsylvania limits your time to appeal to 30 days. In other states, the time for response to a

citation or the appeal of the judgment may differ.

5. **Police Report:** Get a copy of the police report and review it for accuracy while everything is still fresh in your mind. If anything is wrong, like the location, see if you can get the officer to change it.

This is not an exhaustive list and assumes accident response measures are taken, such as securing the scene with Pennsylvania Department of Transportation triangles or warning flares, checking if anyone is hurt, reporting the accident to your company and authorities, and protecting against any immediate danger posed by hazmat materials. Before an accident happens, familiarize yourself with company guidelines and be ready to follow them.

Our Saxton & Stump [Trucking and Commercial Transportation Group](#) would be happy to provide accident response packets for free. You can also contact us if you have any questions about accident response, whether it's for drivers, companies or dispatchers.

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