



Frequently Asked Questions

about
Motor Vehicle
Collisions

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FREQUENTLY ASKED QUESTIONS AND ANSWERS REGARDING MOTOR VEHICLE COLLISIONS

A car crash can happen to anyone. According to the United States Department of Transportation, National Highway Traffic Safety Administration, there were 6,734,000 police-reported motor vehicle crashes in 2018. Despite the prevalence of motor vehicle crashes, many Colorado drivers remain in the dark about their legal options. You've made a smart decision to begin researching the legal issues that may impact a personal injury or property damage claim arising from a crash.

The following is a series of Answers to Frequently Asked Questions that we have received from clients and prospective clients. It is our hope that the information will help provide you with a guide to understanding your legal rights.

What should I do if I am involved in a motor vehicle crash?

- Call the police: One of the first steps you should take after being in a car crash is to call the police. Even if you are involved in a seemingly minor collision, it is important to call the police so that a written record of the incident can be generated. Although it is not a universal rule, responding officers will typically investigate the collision, take statements, interview witnesses, and issue citations if warranted. A written Traffic Accident Report will be generated and available to the involved parties. Calling the police helps establish a clear factual record about what happened, an essential task in the prosecution of any personal injury claim.
 - o If the police were not called at the time of the collision, you can submit an Accident Report [online](#) through the Colorado Department of Revenue, Division of Motor Vehicles.
- Document the scene: take photographs of all involved vehicles, the roadway, traffic signs and signals, and your injuries. If possible, call a friend or family member to assist.
- Get the other driver's contact information: this includes driver's license number, insurance, and license plate number. To simplify the process, take photographs of this information with your cell phone.
- Get medical attention: the physical effects of a motor vehicle collision may not be felt immediately. Injuries may be internal or overshadowed due to post-crash shock or adrenaline. For these reasons, it is important to receive a thorough evaluation by a medical professional, even for low-speed impacts.
- Notify your insurance company: assuming you are physically able, notify your insurance company of the crash within 24 hours.

Is there anything I should NOT do after being involved in a motor vehicle crash?

- Do not admit fault.
- Do not sign any releases.
- Do not provide a recorded statement to an insurance company before consulting a lawyer.
- Do not post any information about the crash, your injuries, or your recovery on social media.

What if the person that hit me doesn't have insurance?

If the opposing driver does not have liability insurance coverage, your potential sources of recovery may be limited. Nevertheless, you may make a claim with your own insurance carrier if you have uninsured/underinsured motorist coverage.

What is uninsured motorist coverage?

Uninsured motorist coverage is triggered when the at-fault driver does not have insurance. Uninsured motorist coverage exists “for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness, or disease, including death, resulting therefrom...” C.R.S. §10-4-609(1)(a). In Colorado, all automobile insurance policies must provide underinsured motorist coverage unless the named insured rejects the coverage in writing.

What is underinsured motorist coverage?

Underinsured motorist coverage is triggered when the at-fault driver has insurance, but the total available coverage is not enough to compensate you for your injuries. As with uninsured motorist coverage, underinsured motorist coverage is included in all policies issued in Colorado, unless the named insured rejects the coverage in writing.

What is medical payments coverage?

Medical payments coverage provides benefits to persons that receive medical care made necessary as a result of a motor vehicle collision. In other words, if you need medical care, your insurance will pay for it, up to the limits of your coverage, so long as the treatment is necessary and related to the crash. As with uninsured/underinsured motorist coverage, medical payments coverage is included in all policies issued in Colorado, unless the named insured rejects the coverage in writing. C.R.S. §10-4-635.

Do I need a lawyer?

The majority of motor vehicle claims could benefit from a lawyer's guidance and expertise. Statistics show that individuals not represented by a lawyer receive lower settlements. Contact Baker Law Group for a free consultation to discuss the benefits of retaining a lawyer for your particular claim.



How long will it take to resolve my claim?

The short answer – it depends: Every case is different. However, at Baker Law Group, we are focused on obtaining the maximum recovery for each and every one of our clients. Rushing to obtain a quick settlement can carry significant risk if you have not yet finished treatment or do not yet have a clear understanding of your physical impairments or future medical needs. Other factors may impact the claim timeline, such as the extent and nature of your injuries, the opposing party's willingness to engage in negotiations, and the number of other claimants. If the opposing party or its insurance company are unwilling to fairly resolve your claim, a lawsuit may be necessary. While the filing of a lawsuit may extend the timeline, it may be the only way to obtain fair compensation.

We hope that this information is helpful to you, and if there is any way we can be of assistance, please don't hesitate to call our office at 303-862-4564.