After a crash in California: your checklist

Do what you safely can. Your health comes first.



At the scene

- [ ] Check yourself and everyone else for injuries. Call 911 if anyone is hurt.
- [ ] Turn on your hazard lights. Move out of traffic only if it is safe.
- [ ] Stay. A driver in a crash that injures someone must stop and help (Vehicle Code 20001 and 20003).
- [ ] Swap details with the other driver: name, address, driver's licence number, plate, the owner's name, and the insurance company and policy number.
- [ ] Show your proof of insurance if an officer asks (Vehicle Code 16028).
- [ ] Photograph the cars where they stopped, then all damage, plates, the road, signals, skid marks, debris and your injuries. One wide photo, then close-ups.
- [ ] Ask witnesses for their names and phone numbers. Ask if anyone recorded video.
- [ ] Look for cameras on buildings, buses and doorbells. Write down where they are: footage is often erased within days.
- [ ] Ask the officer for their name, their agency and the report number.
- [ ] Say what happened briefly and accurately. Don't guess about speed or distance, and don't argue about fault.

If the other driver drove off: write down the plate, colour, make and direction. Report it to the police within 24 hours: you need that report to claim on your own uninsured motorist coverage (Insurance Code 11580.2).

If you were in an Uber or Lyft: screenshot the trip in the app before you close it.

If you were on foot or on a bike: photograph the crosswalk or lane, the signal, and anything that blocked your view.

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No fees unless you get paid.

This is general information about California law, not legal advice for your situation. Reading or using it does not make us your lawyers.

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In the first 24 hours

- [ ] See a doctor, urgent care or the emergency room, even if you feel fine. Some injuries show up a day or two later.
- [ ] Tell the doctor every place that hurts, even a little.
- [ ] In an injury crash, a written report must reach the police or CHP within 24 hours if no officer took one at the scene (Vehicle Code 20008).
- [ ] Tell your own insurance company about the crash.
- [ ] Start your injury and expenses journal (our free journal works).
- [ ] Don't post about the crash or your injuries on social media.

In the first 10 days

- [ ] Report the crash to the DMV on form SR 1 within 10 days if anyone was hurt or killed, or if damage to anyone's property is over $1,000 (Vehicle Code 16000). This is separate from any police report.
- [ ] Ask for a copy of the police or CHP report.
- [ ] Keep every bill, receipt, letter and insurance email in one folder.
- [ ] Before you give the other driver's insurer a recorded statement, read our guide "Talking to the insurance adjuster". You don't owe them one.
- [ ] Don't sign a release or cash a settlement cheque yet. A general release signed during your first hospital stay is presumed fraudulent under California law (Business and Professions Code 6152(b)).

In the first month

- [ ] Go to every follow-up appointment and physical therapy session. Gaps in care are used to argue you weren't really hurt.
- [ ] Track your bills and missed work (our free tracker works).
- [ ] Keep your damaged car, bike, helmet or clothes, or photograph them before they are repaired or thrown away.
- [ ] Check your own policy for medical payments coverage and uninsured or underinsured motorist coverage.

Deadlines that matter

6 months	Claim against a city, county, transit agency or other public body: a written claim (Government Code 911.2).
2 years	Most injury lawsuits, from the injury (Code of Civil Procedure 335.1).
3 years	Damage to your car or other property (Code of Civil Procedure 338).

Exceptions can make a deadline shorter or longer. Our free deadline calculator shows your dates: hillstonelaw.com/tools/deadline-calculator/

My notes

Date, time and place of the crash

My claim number with my insurer, and theirs

Report number, officer and agency

Witnesses

Other driver: name, phone, insurer and policy number

Where the cameras were

If you crash in Santa Clara County

Trauma centres

Santa Clara Valley Medical Center (Level I trauma center), San Jose, CA 95128

Stanford Health Care/Lucile Packard Children's Hospital (Level I trauma center), Palo Alto, CA 94304

Regional Medical Center of San Jose (Level II trauma center), San Jose, CA 95116

Our office

San Jose: 325 South 1st Street, San Jose 95113

Claims against the county

Claims against the County of Santa Clara go to its clerk, secretary or auditor, or by mail to the Board of Supervisors (Gov. Code 915(a)); 6-month deadline (Gov. Code 911.2).

Injury cases are filed at

Downtown Superior Court (DTS), 191 N. First St., San Jose, CA 95113

Crash data for your county

6,670 injury or fatal crashes were reported to the state crash database in 2024.

hillstonelaw.com/california/santa-clara-county/

Cut along the dotted line, then fold in the middle.

Been in a crash? Do these in order.

1. Check for injuries. Call 911 if anyone is hurt.
2. Hazards on. Move out of traffic only if it's safe.
3. Stay at the scene.
4. Swap names, licences, plates, owners and insurance.
5. Photograph everything: cars, plates, road, injuries.
6. Get witnesses' names and numbers. Ask who has video.
7. Get the officer's name and the report number.
8. Keep it short. Don't guess and don't argue about fault.
9. See a doctor today, even if you feel fine.

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Next days

- DMV form SR 1 within 10 days if anyone was hurt or damage is over $1,000.
- No recorded statement to the other driver's insurer until you've read our adjuster guide.
- Don't sign anything while you're in the hospital.
- City, county or transit vehicle involved? You have 6 months to file a claim.

Report no. _____

Their insurer _____

Claim no. _____

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