

CAR ACCIDENTS

What must I do immediately after the accident?

Record the following details of all drivers, passengers, witnesses, police, traffic, ambulance officials and tow truck personnel:-

- Full names,
- ID numbers,
- Addresses (work and home),
- Telephone numbers (work and home),
- Vehicle registration numbers,
- Descriptions of vehicles and drivers,
- If an employee is driving for an employer, then the details of the employer,
- You must also record the date, time and address of the collision,
- Try to get statements from witnesses as soon as possible. This is important in the event of a dispute about who caused the accident,
- Take photographs of the accident scene if you have a camera on you, as the scene may change,

- Take photographs of the damage to the vehicles,
- Draw a sketch plan of the scene and make sure that it contains a fixed point so that it can easily be traced,
- Report the accident to the closest police station within 48 hours,
- If you have been injured, consult a doctor immediately even if you think that the injury is not serious.

What documents should I obtain after the accident?

- An SAPS collision report. This will cost approximately R50,00.
- Witness statements taken by SAPS or your own witness statements.

Can I claim for the damages to my car from the R.A.F.?

No, the Road Accident Fund does not pay for damages to your property, like:

- Damage to your car.
- Damage to your other property for example, your clothes.
- Damage to your fence or to your house when someone drives off the road and into your house.
- If you want to claim money for your damaged property then you will have to institute an action in a civil court.
- You must claim from the negligent driver or

his or her insurance company.

How do I know if the other driver was negligent?

These are some examples of negligent driving:-

- Driving at an excessive speed.
- Failing to keep a proper look-out.
- Failing to keep the vehicle under proper control.
- Failing to avoid a collision when he or she should have done so.
- Failing to indicate.

What happens if I am not insured or the other party is not insured?

- You will personally have to claim from the person who caused the damages to your vehicle or property.
- If you have a claim for less than R7 000, you may claim using the Small Claims Court procedure.
- If you want to claim for more than R7 000, you will have to claim it in the Magistrate's Court.
- You may need an attorney to assist you in following the civil court procedures.

KEY:

1. COLLISION - accident
2. NEGLIGENT - failure to take proper care
3. WITNESS - a person who sees or hears something