

ROAD TRAFFIC COLLISIONS (RTCs) OFF BASE

This handout by no means covers every aspect of your legal responsibilities if you are unfortunate enough to be involved in a road traffic incident off base. It is intended to be a guideline covering the most frequently asked questions I receive on the subject.

In cases where the accident has caused: **injury** to or **death of another person** (whether your passenger, a pedestrian or another motorist/passenger), **injury or death** of a deer or of a domestic pet or farm animal, (does not include cats, rabbits, birds – except swans), **damage to another person's vehicle (when driver not present)** or **property (i.e. real estate)** or what is termed “**street furniture**” such as signposts, traffic signs, street lights, telegraph poles and so on, **you are required by law to stop at the time of the accident, report the incident to the police and wait for the police to show up. Dial 999 if necessary. If you cannot wait, tell the police why and they may, over the phone, authorize you to leave. However, if they tell you to stay, you stay!**

You are **required by law to stop after an accident** (collision) if you cause damage to another person's vehicle and they are present at the time of collision or soon thereafter. If no other criteria as above is met (i.e. injury, damage to yet another's property etc) then you need only exchange name and address details with the affected driver(s) and you are not obligated to contact police.

Note/ **Failure to stop at the scene of an accident that you had caused** is a criminal offence and can result in a fine of up to £5,000 and 6 months in jail. The lightest sentence is 5 to 10 points on UK driving record (12 points in 3 years results in a 6 month driving ban) and a high fine. **YOU WILL BE REPORTED FOR FAILURE TO STOP EVEN IF YOU DO STOP BUT A) FAIL TO GIVE YOUR DETAILS TO OTHER DRIVER IF THEY ARE PRESENT OR B) FAIL TO CALL POLICE IF DRIVER NOT PRESENT.**

In most cases where there are a) no injuries and b) the only damage caused is to your and the other vehicle with driver present and c) there is no major traffic flow obstruction, the police are unlikely to attend. If in doubt, call the police anyway and let them decide.

If police attend, they will request your name, address, contact telephone details and may ask to see your vehicle documents: Insurance, MOT and drivers' licence. Usually though they have those details already on Police National Computer (PNC). They will likely breathalyse all drivers involved too, regardless of apparent fault.

Note/ Do not worry. If you do not have your documents with you, if the police do request them, they will issue you a ticket asking you to produce the documents at a police station within 7 days from midnight that night.

Information which the police believe the parties require is then exchanged by the police.

If the police do not attend the accident, the minimum information you are required to exchange with the other driver(s) when there are no injuries is: your name and address. A contact telephone number is helpful. The law does NOT require the exchanging of insurance information unless a party in the accident has been injured (no matter how slight). **REMEMBER TO ALWAYS TAKE DOWN THE LICENCE PLATE DETAILS OF OTHER DRIVERS! DO THAT YOURSELF – DO NOT GET THE OTHER DRIVERS TO DO IT FOR YOU! EVEN BETTER IS TO TAKE PHOTOS!**

What to do when you hit a parked, unmanned car and it is not safe for you to stop? Or you have been hit by, or have yourself hit, a moving vehicle which has not stopped for you? Contact the police as soon as possible (not as soon as convenient) and no later than 24 hours from the time of the incident. You will need to give your details, location and time of accident and the other vehicle's details if known. Witness details too, if any. Dial 101 not 999 and do not be surprised if they direct you to complete a form online regarding the incident where you had to leave (and other driver or owner of property is not on scene).

REMEMBER: Failure to report within 24 hours can be treated as a failure to report at all and is also a criminal offence.

When you are a victim and the other driver did not stop, without risking your own safety, try to take down as much detail (especially licence plate) of offender's vehicle. You **MUST** report incident to police straightaway or as soon as practicable if you want their help to bring potential charges against the other party. If witnesses want to leave the scene, and you cannot convince them to wait for police, ask for their contact details. Always take down their licence plate details too for the police in case the contact information they gave is not correct. If a company truck or van, take down the plate details plus the company details which are usually printed on the side of the truck/van.

Finally, if police arrange for your vehicle to be towed **FIND OUT BY WHOM AND WHERE TAKEN ASAP!**

There is a towage charge (typically up to £200) and a daily storage charge (can be around £25 a day) and insurance might not cover all or part of it!