



Legal Rights in a Car Accident: What you need to know

If you are involved in a collision whether it is with another vehicle, person, or object on the road, the law requires you to do certain things under **Section 106 of the Road Traffic Act 1961**.

It's important to know what to do in a car accident. If you don't know the correct steps to follow, you may find yourself facing additional legal and financial problems.

Legal Obligations

Stay at the Scene:

You must stop your car and remain at the location of the accident for a reasonable amount of time. You should also switch on your hazard lights to alert oncoming drivers and pedestrians of the obstruction.

If you do not stop and stay at the scene, you could be charged with leaving the scene of a road traffic accident – a serious crime that comes with a large fine, and in some cases, a prison sentence.

Call for help:

Report the incident to the Gardaí and if someone is injured call the emergency services.



Provide information to

a member of an Garda Síochána or to the other party involved if they are injured or their property damaged.

This is a key part of what to do in a car accident. Exchange details including:

- Your name and address
- The address where your car is kept
- The name and address of the car owner
- The cars registration number
- Motor insurance details (including the expiry date of the policy)



In Ireland, it is illegal to leave the scene of an accident without exchanging your private contact details and car insurance details with the other driver.

Decide whether to move the cars:

If the collision is serious, do not move the cars.



If the collision is minor and the cars are blocking the road or are a danger to other road users, mark their position on the road and then move them. Take care when moving damaged cars.

If you have a reflective advance-warning triangle, place it on the road far enough from the scene of the collision to give enough warning to approaching traffic.

If the collision happens near a bend in the road, make sure you give warning to traffic on both sides of the bend.



Important Steps to Consider



Get any **witnesses' names, addresses and phone numbers**, as these may be needed later.

If it's possible, **take photographs and videos** of the scene, including the position of your car and any others that might be involved.

You should get the **name or number of the Garda** to whom the collision is reported. You may need to ensure that a Garda report has been filed for insurance purposes.

You should **write down** an account of **all relevant facts** connected to the collision **as soon as possible** afterwards. Try to also record any other details you think may be important. These could include the driving conditions on the date of the accident or the driving behaviour of those involved. Sign and date your account when it is completed.

Most drivers come away thankful that the crash was not any worse. But motor insurance issues and disputed liability (aka who is at fault) can be a major headache later on if you failed to document the relevant details at the time.



Leaving the Scene

If the Gardaí have advised that they will attend the scene of the accident, you must wait until they arrive.

If your accident was minor, no one was injured, and the Gardaí have not been called, then you are free to leave once you have exchanged your personal contact and car insurance details with the other driver, providing your car is in a road worthy condition and safe to drive.



Contact your Insurance Provider

Even if the damage is minor, and you are not thinking of claiming on your insurance, it is important that you inform your car insurance company about your accident.



You are not obliged to make a claim, so if you would rather keep your No Claims Bonus and pay for any repairs yourself, mention it to your insurer when reporting your accident.

Personal Injury Claims for Road Traffic Accidents

If you are hurt, you may wish to lodge a personal injury claim. This is the formal process of recovering compensation (an award or settlement) from the person responsible for your injuries.

A qualified personal injury solicitor will be able to explain to you in more detail how to claim for injury after a car accident. While a solicitor may not calculate the exact percentage or amount of compensation you may be entitled to, they can guide you through the process, filing paperwork on your behalf and advising you on how to proceed.