

CHAPTER EIGHT | ACCIDENTS AND EMERGENCY SITUATIONS

Among all collisions in Indiana, failure to yield the right of way is the most common factor. Accidents are often caused by a driver's lack of attention, a driver's failure to observe the rules of the road, or both.

WHAT TO DO AFTER AN ACCIDENT

Legal Requirements of Drivers Involved in an Accident

Drivers, passengers, and pedestrians could be injured in an accident at any time or place on or along a roadway. Knowing what to do after an accident can make the experience less frightening and decrease the chance of unnecessary complications.

Should You Move Your Vehicle?

The driver of a motor vehicle involved in an accident must stop immediately or as close as possible to the scene of the accident without obstructing traffic more than necessary. If the accident occurs on the traveled portion of a highway, the driver must move the vehicle off the highway to a location as close to the accident as possible. However, the driver should not move the motor vehicle if the accident involves the transportation of hazardous materials or results in injury, death, or entrapment.

The driver must remain at the scene of the accident, giving their name, address, and registration number of the motor vehicle to everyone involved, in addition to showing his or her driver's license.

Provide Reasonable Assistance

In the event the accident results in the injury or death of another person, the driver is required to provide reasonable assistance to those injured or trapped in vehicles as directed by law enforcement, medical personnel or a 911 operator. As soon as possible, the driver should make sure law enforcement (local police, sheriff, or state police) are notified of the accident.

If the collision was with an unattended vehicle or other property, the driver must stop and remain at the scene of the accident, take reasonable steps to notify the owner of the damaged property, and if the owner cannot be located, call a law enforcement agency in order to provide information.

Provide Proof of Financial Responsibility (Certificate of Compliance)

After an accident and upon request from the BMV, you will be required to provide proof of financial responsibility to the BMV. Your insurance provider must electronically file proof of financial responsibility in the form of a Certificate of Compliance (COC). The COC will demonstrate that you held an effective motor vehicle insurance policy that meets the state's minimum liability protection during that accident. If you receive a request for financial responsibility verification from the BMV, do not delay in asking your insurance provider to electronically send a COC to the BMV on your behalf. For more information on Financial Responsibility, see Chapter 5.

AVOIDING COLLISIONS

Despite safe driving, emergencies do arise. If it appears that your car will hit something, there are three things you can do, depending on the situation:

Stop quickly.

Turn quickly. If you feel you cannot stop in time, turn your vehicle away from the potential collision.

Speed up. Accelerating may sometimes be the best or only way to avoid a collision.

If a collision looks possible, turn away from oncoming traffic, even if it means leaving the road. Drive, rather than skid, off the road, allowing for more control. Choose to hit something that will give way, such as brush or shrubs, rather than something hard. Hit something moving in the same direction as you rather than something that is not moving. However, it is safer to hit something that is not moving than to hit something head-on. A sideswipe may help you slow down.

Driving off the Pavement

If your vehicle's wheels drift onto the shoulder of the road, do not try to turn back onto the

pavement right away. This action might throw your vehicle off balance. Instead, drive along the shoulder and ease up on the gas pedal. After slowing down, turn back onto the road gradually.

Plunging into Water

If a vehicle plunges into water, it will usually float several minutes before sinking, allowing a driver or occupants to escape through an open window, while still on the surface.

If your vehicle plunges into water, do not attempt to open a door. The weight of the water will make it nearly impossible to open a door and water will flood the passenger compartment through an open door.

Follow these guidelines if your vehicle plunges into water:

- Remove your seat belt.
- Open a window. Automatic windows will open unless the impact is so severe that it damages the electrical system.
- Get children out of rear seat belts and child restraints, asking older children to assist the younger ones. Move passengers to the front seats as calmly as possible.
- Exit the vehicle and move to the roof. This will keep you as dry as possible and even in moving water you can ride the vehicle like a boat for a short time. Once on the roof, call 911 and locate the nearest dry land.
- Swim for shore only as a last resort. If emergency personnel or other assistance has not arrived by the time your vehicle sinks below the waterline, you may be forced to swim.
- Never re-enter the vehicle to gather possessions.

IMPAIRED DRIVING

The likelihood of an accident increases if a driver is under the influence of drugs and alcohol. Alcohol negatively affects your brain's ability to think clearly and your physical coordination, and it decreases your reaction time. The primary factors in determining an individual's blood alcohol concentration (BAC) are: the amount of alcohol consumed, how quickly the alcohol is consumed, and the individual's body weight.

Many prescription drugs, over-the-counter drugs, and other recreational drugs will also impair your reasoning and coordination. Using these drugs may have a negative effect on your ability to operate a motor vehicle in a safe manner. Always consult the label on any medication and discuss its side effects with a physician or pharmacist before driving.

For more information about motor vehicle law pertaining to operating a vehicle while intoxicated, see the Chapter 5 section on suspensions.

Ways to Spot an Impaired Driver

A car can be a lethal weapon when operated by a driver impaired by drugs or alcohol. A driver may be impaired if the vehicle:

- Makes wide turns
- Straddles the center line or weaves back and forth
- Exceeds the speed limit or drives unusually slowly
- Comes close to hitting another vehicle or object
- Swerves, drifts, or follows too closely
- Stops for no reason or turns abruptly or illegally
- Signals inconsistently or drives at night without headlights.

ROADSIDE EMERGENCY SITUATIONS

A roadside emergency is a serious situation that will take you and other motorists by surprise. The following safety guidelines, while not necessarily required by Indiana law, will help you get back on the road and alert other motorists that you are managing a roadside emergency situation.

- If possible, always pull your vehicle onto the roadside shoulder.
- Turn on your flashing hazard lights.
- Keep a flashlight with fresh batteries within reach of the vehicle operator.
- Store a reflective safety vest and red emergency reflective triangle in your vehicle so that you are more visible to other motorists passing by you.
- Your red emergency reflective triangle should be placed 200 feet behind your vehicle, or 500 feet behind your vehicle if you are on a hill or curve.
- During winter months, pack blankets, extra gloves, and warm hats in your vehicle in case you must wait for emergency responders or a vehicle tow.
- If you must exit the vehicle while on a roadside shoulder, exit the vehicle on the passenger side and only after checking your immediate vicinity for other motor vehicles, obstructions, or dangerous drop-offs or inclines.

VEHICLE EQUIPMENT FAILURES

Tire Blowout

In a situation with a flat tire or blowout, you should hold the steering wheel firmly and keep the car going straight. Slow down gradually. Take your foot off the gas pedal, but do not apply the brakes. Let the car slow down, pull off the road and then apply the brakes when the car is almost stopped.

Brake Failure

If your vehicle's conventional disc or drum brakes suddenly fail, you should shift to a lower gear, if possible, and pump the brake pedal fast and hard several times. This may build up enough brake pressure to stop your vehicle. You may try to use the parking brake but hold the brake release so it can be released to avoid skidding if the rear wheels lock. With your vehicle in a low gear, begin looking for a place to stop off the roadway. After your vehicle has stopped, call for help, but do not try to drive anywhere.

Ignition Locking

Drivers in an emergency situation on the highway should not try to turn off the vehicle while it is still moving. When operating a vehicle with a steering wheel interlock system, never turn the ignition to the lock position while the vehicle is in motion. The steering will lock as the steering wheel is turned, causing a loss of control of the vehicle.

AVOIDING VEHICLE THEFT

By taking the following precautions, the chances of having a vehicle stolen may be reduced:

- Remove keys
- Always lock a vehicle's doors
- Do not hide a second set of keys in or around the vehicle
- Park with front wheels turned sharply to the right and apply the emergency brake
- Never leave a vehicle unattended with the engine running
- Consider installing an anti-theft device
- Park in well-lit, well-patrolled areas whenever possible

TRAFFIC STOPS BY LAW ENFORCEMENT

Traffic stops create unknown risk and can be stressful for both the police officer and motorist. The purpose of the traffic stop is to ensure that a vehicle operator is safe and in compliance with the law. For the safety of vehicle operator, passengers, and law enforcement officers, drivers stopped by law enforcement should adhere to the following suggestions:

- **Acknowledge the officer's presence by turning on your right turn signal.** Activating your signal lets the officer know that you recognize their presence. Based on their training, if you fail to acknowledge them by turning on your turn signal, an officer might perceive that you have a reason to avoid yielding or that you might be impaired.

- **Move your vehicle to the right-side shoulder of the road.** The officer will guide you using their patrol vehicle. Do not move onto the center median. Do not stop in the center median of a freeway or on the opposite side of a two-lane roadway. This can place both the driver and the officer in danger of being hit by oncoming traffic. If there is no shoulder or it is too narrow to pull over, you should find the next safest location and pull over.
- **Immediately pull over when able in a safe manner. Stop in a well-lit area when possible.** Pull your vehicle as far off the roadway as possible. When it is dark, look for locations that have more light, such as areas with street or freeway lights, near restaurants, or service stations. If you are being stopped at night, you are encouraged to turn on the interior light of the vehicle.
- **If you cannot find a safe place immediately, slow down and turn on hazard lights.** This indicates to the officer that you acknowledge his/her presence and are actively trying to find a safe place to stop.
- **End cell phone conversations and turn off your radio.** The officer needs your full attention to communicate with you to complete the enforcement stop in the least amount of time needed.
- **Remain inside your vehicle unless otherwise directed by the officer.** Never step out of your vehicle, unless an officer directs you to do so. During an enforcement stop, the officer's priorities are your safety, the safety of your passengers, and the officer's own personal safety. In most situations, the safest place for you and your passengers is inside your vehicle. Exiting your vehicle without first being directed by an officer can increase the risk of being struck by a passing vehicle and/or cause the officer to feel threatened.
- **The driver and all passengers should place their hands in clear view.** The driver should keep their hands on the steering wheel and passenger hands should be visible on their laps. During an enforcement stop, an officer's inability to see the hands of the driver and of all occupants in the vehicle can cause the officer to feel threatened. If your windows are tinted, it is recommended that you roll down all your windows after you have stopped your vehicle on the right shoulder of the roadway and before the officer makes contact with you.
- **Comply with the officer's request to see documentation.** Vehicle operators are required to have a valid driver's license, registration, and insurance in order to operate a vehicle. If these items are in the glove box or under the seat or if the proof of insurance is stored for display on a cellphone, you should first inform the police officer of that fact and then follow the officer's directions before reaching to retrieve the information.
- **If the traffic stop results in a ticket or arrest, you:**
 - » Should not debate the reason for the stop or argue with the police officer.
 - » Should not refuse to sign a ticket if issued. A traffic ticket requires the driver's signature. Signing a ticket is not an admission of the driver's guilt, but only an acknowledgment of receiving the ticket.
 - » Should not be uncooperative with law enforcement at the scene. If a driver is suspected of drunk driving, refusal to submit to breath, urine, blood, or performance tests can result in the loss of driving privileges.
 - » Should not argue about the ticket at the time of issuance. If a driver believes an offense was not committed or the ticket was issued unfairly, he/she will have the opportunity to present the case in traffic court.
 - » Should not resist arrest if taken into custody by the police.
 - » A driver is to be treated with dignity and respect by law enforcement officers. If you believe that an officer has acted inappropriately during a traffic stop or other encounter, you should report the conduct as soon as possible after the encounter to the officer's superiors. Officers are required to provide their names and badge numbers upon request. Written complaints can be filed with the agency's internal affairs division or civilian complaint board. Regardless of what action is taken, police officers are legally required to document all traffic stops, which includes obtaining the driver's name and address for data collection purposes.

CARBON MONOXIDE POISONING

Carbon monoxide gas from a vehicle engine can harm or kill you or your passengers. Carbon monoxide is most likely to leak into a vehicle when its heater is running, when the exhaust system is not working properly, or in heavy traffic where exhaust fumes are breathed in from other vehicles. A faulty exhaust system can leak poisonous fumes into a vehicle's back seat.

You cannot see, smell, or taste carbon monoxide. Symptoms of carbon monoxide poisoning can include drowsiness or dizziness, a bluish tinge to your skin or lips, a headache, and increased sensitivity to light.

How to Avoid Carbon Monoxide Poisoning

- Have your vehicle's exhaust system checked regularly
- Be alert for any unusual roar from under the car
- Never let your vehicle's engine run in a closed garage
- In congested traffic, close the fresh-air vent
- On highways in cold weather, open the fresh-air vent