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Car accident in Europe: How to react?

Guideline for European consumers



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Car accident



A car accident is never a situation, which is easy to manage and let-alone when it occurs abroad. This guideline will help you through the necessary steps in case of an accident in another EU Member state.

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ESSENTIAL IN YOUR GLOVE COMPARTMENT!

When you drive across Europe you should have the following documents handy under all circumstances.

The green card

This document certifies that you are insured and notably mentions:

- Information about your insurance company (contact, telephone number etc.)
- Information about your car and your person.

The European Accident Statement

The European Accident Statement is a harmonised document at European level (the sections are similar irrespective of the language) and some copies are bilingual (e.g. French-English). Your insurance company can provide you with further information. Despite not being compulsory, the European Accident Statement is essential to receive quick compensation for your damage.

GOOD TO KNOW

In many EU Member states the reflective jacket and the warning triangle are compulsory. The same applies for first-aid kits. Before travelling abroad, gather all the relevant information about your destination country.

WHICH LAW IS APPLICABLE?

In general, the law of the country where the accident occurred, applies and regulates the responsibilities and compensation. In case of an accident in Germany, the German Law would be applicable. This principle is valid irrespective of the nationality of the other driver and the country where the insurance company is located.

However, if the accident only involves vehicles registered in another Member State (subject to additional conditions), the law of the registration state applies. For example: two cars registered in France have an accident in Germany.



WHAT TO DO AT THE SCENE OF THE ACCIDENT?

- ✓ Stay calm, don't leave the scene. Secure the accident with the triangle.
- ✓ Note the information about the adverse party mentioned on the green card: the full name and address of the driver (verify the driver's identity!), insurance company, number of insurance policy and registration of the vehicle.
- ✓ Note the identity and address of potential witnesses. Ask your witnesses for their business cards, so that you can easily reach them even at their workplace.
- ✓ Please carefully fill in the accident statement, which should be signed by the adverse party.
- ✓ You don't speak the language of the other driver? Don't panic! The European Accident Statement is standardized, so that the information filled in into this document can be easily understood by your insurance company. Therefore, the box 'observations' of this document can be completed by the driver in his (her) own language. In the last resort, two European Accident Statements - in each driver's language - can be completed and signed.
- ✓ Only sign the report when you are sure that you understand the situation and you agree to the description. If this is not the case, do not cross any box. If the European Accident Statement is not properly filled in, you may actually be held responsible unjustly.

GOOD TO KNOW

In some European Member states the police compulsorily completes an accident report even if there is only damage to property (vehicles). In France, in the event of an accident with no serious injuries and if both drivers agree to the facts, there is no obligation to contact the police. But even in this case, you should sign an accident statement, because you might get compensation faster.

- ✓ Read carefully the European Accident Statement before completing its middle column. Then check the boxes relevant to the circumstances of the accident. This is a very important section in order to clarify the responsibility of the drivers involved in the accident.
- ✓ Above all, do not forget to mention the number of boxes you ticked at the bottom of the column. Otherwise the adverse party might cross other boxes after the event to your disadvantage.
- ✓ You are not allowed to compel the other driver to sign the document. In case he does not, gather the global information mentioned above. However, also in this case you can send the European Accident Statement to your insurer for information purposes. In case you were involved in an accident with several other vehicles, you should fill in a European accident statement with each of the parties involved.
- ✓ Secure the evidences and make photos of the location of the accident and of the vehicles involved.



ATTENTION!

In case of a hit-and-run offence, contact the police and a lawyer.

COMPENSATION

The declaration to your insurance company

The European Accident Statement should be sent as fast as possible to the foreign insurance company and also to your own insurance company. In some countries there is a time limit for its submission.

The European system of compensation

The European Union created a simplified procedure of compensation for victims of car accidents in another European Member state (directive 2000/26/CE). In particular, it enables you to claim compensation in your country of residence as soon as you are back.

The principle of the system in three points:

A representative of the other driver's insurance company in France

Each European insurance company must name competent claim representatives in each Member state who regulate claims for compensation. The Council of Bureaux as managing organisation of the green card system, can help you to find the representative in your country (see the contact details on page 9).

An offer for a quick compensation

An offer for compensation must be submitted to you by the insurance company of the other driver within three months after the submission of your documents, irrespective of the nature of the harm or damage.

A contact in case of problems

Drivers can contact the Mandatory liability insurance guarantee fund in cases where the insurance company of the other driver has not named a claim representative in each Member States. The Council of Bureaux will support you in contacting the insurance guarantee fund in your country.

If you do not receive any offer from the insurance company of the other driver within three months after the submission of your documents or if it is impossible to identify the vehicle of the driver responsible for the accident you can also contact this guarantee fund under www.cobx.org

The Mandatory liability insurance guarantee fund is obliged to respond to your request within two months. Attention: you cannot make a request to this fund if you have already referred the case to the court.

If you need further information every Member state has an information bureau. The Council of Bureaux can give further information as well.

When can your vehicle be repaired?

It depends on many factors: your degree of responsibility in the accident, the nature of insurance contract you concluded, the nature and extent of the damage to your vehicle. In any case, please wait for the approval of your insurance company to avoid problems.

YOUR CONTACTS

For any question or in case of accidents in another EU Member state, Iceland or Norway, do not hesitate to contact the ECC-Net.



The European Consumer Centre Network offers free information on consumer rights in the EU and advice in extrajudicial cross-border consumer complaints. The network of 30 centres in Europe, Iceland and Norway is working together to resolve cross-border consumer disputes through out-of-court resolution mechanisms.

For first line advice or to submit a cross-border complaint please contact your local European Consumer Centre: <http://www.europe-consommateurs.eu/en/about-us/what-we-do/our-network-ecc-net/list-of-all-european-consumer-centres/>

Council of Bureaux

The Council of Bureaux (CoB) is the organisation coordinating the different National Insurers' Bureaux participating in the Green Card System. It also serves as a Secretariat for the Compensation Bodies, Guarantee Funds and Information Centres active in the European Economic Area to which the Motor Insurance Directive applies. The CoB is a non-political, technical body and is situated in Brussels.

Website: www.cobx.org

www.cec-zev.eu

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European Consumer Centre France

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Help and advice
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