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Legal Insights

Winter Driving: Accident and Safety Tips

By Barrie E. Bazarsky, Esq.

As we settle into the colder months here on Long lsland, the shift in weather brings a necessary reminder for all of us to adjust our driving habits. Visibility decreases and stopping distances increase, making the daily commute more hazardous than usual. Whether it's a patch of black ice on the Long Island Expressway or sudden slippery conditions on our local streets, winter weather demands extra caution and lower speeds.

Additionally, please remember that New York law requires drivers to clear their entire vehide of snow and ice—not just the windshield—before hitting the road. Flying sheets of ice from the roof of a moving vehicle are a frequent cause of accidents. Remember to take those extra few minutes to brush off your car, preventing you from becoming a hazard to others.

Remember to be careful when entering and exiting your vehicle. lt is important to be steady and have a good grip on the car before you start to enter or exit where there might be ice or snow on the ground where you park.

Unfortunately, in my line of work, we tend to see a significant uptick in traffic acddents once the temperatures drop and road conditions become unpredictable. While we hope you never need to use it, being prepared for the unexpected is part of safe driving. Below is a practical checklist of exactly what information to gather if you find yourself in an automobile collision this winter.

Please call 911 to have the police come to the scene. In addition to having the police prepare a report, they will ask if you need medical assistance. Make sure you speak with the officer and relay your version of the facts as long as you are physically able to do so.

Crucially, do not decline medica! attention simply because you don't feel immediate pain or assume you are "fine." The shock and adrenaline of a collision can often mask the symptoms of serious injuries that may not manifest until days later.

lt is important to take photographs of the scene and the vehieles and obtain any witness information. When documenting the scene, try to capture wide shots that show the context of the roadway, including skid marks, obscured traffic signs, or untreated patches of ice. In addition, get the plate number of the other car and insurance information. lt is unfortunate that all too often, what you think may be a straight-forward situation becomes less so after the event, especially when the police are not called.

This happens in pedestrian knockdowns and bicycle cases as well. In those circumstances, it is essential to obtain the insurance information of the vehicle that strikes you because, in those circumstances, the medical bills are paid under the car insurance of the vehicle that strikes the pedestrian or bicyclist. License plate photos are very helpful in this regard. lt is also important to photograph the type of vehicle involved.

Once you are out of harm's way and seen by medical personnel, call a personal injury attorney who regularly practices in the personal injury field for advice.

And remember, be as safe as you can out there!

Barrie E. Bazarsky, Esq. is a Senior Associate at Futterman Lanza, LLP focusing on personal injury. She has practiced in this area exclusively for over 30 years, allowing her to provide clients with compassion, fierce advocacy, knowledge, and experience. Her case results have been published by the New York State Law Joumal and in the New York Jury Verdict Reporter. Barrie has extensive experience helping people with all types of personal injury accidents and offers free case analysis.

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