



NON-INJURY COLLISION FREQUENTLY ASKED QUESTIONS

PD 101-122 (06-20)

The Police Department has compiled a list of frequently asked questions to assist motorists who are involved in a non-injury collision.

1. When must I personally file a Report of Motor Vehicle Accident (MV-104)?

You are required by NY State Vehicle and Traffic Law to file an accident report (MV-104) in the following situations:

a. *Property Damage Over \$1,000:*

If you are involved in any accident where there is damage to the property of one individual (including yourself) that is more than \$1,000 [VTL 605(a)(1)], **or**

b. *Person injured or killed:*

If a person is injured or killed, you are required by NY State Vehicle and Traffic Law to immediately notify the police. All the involved drivers and the police must file an accident report with the DMV [VTL 605(a)(1)], **or**

c. *Bicycle accident causing death or serious physical injury:*

Every person operating a bicycle which is in any manner involved in an accident on a public highway in this state in which any person is killed, other than the operator, or suffers serious physical injury [VTL 605(b)].

2. How long do I have to file a Report of Motor Vehicle Accident (MV-104)?

a. *Motor Vehicle:*

Within ten (10) days after such accident [VTL 605(a)(1)].

b. *Bicycle accident causing death or serious physical injury:*

Within ten (10) days after such operator learns of such death or serious physical injury [VTL 605(b)].

3. When must I report the incident to law enforcement?

a. *Property Damage (person sustaining damage not present):*

In the case where the person sustaining the damage is not present at the place where the damage occurred, then they shall report the incident as soon as physically able to the nearest police station [VTL 600(1)], **or**

b. *Personal injury to any person involved:*

Any person operating a motor vehicle who, knowing or having cause to know that personal injury has been caused to another person, shall provide their license and insurance information to a police officer before leaving the place where the personal injury occurred [VTL 600(2)], **or**

c. *Injury to any horse, dog, cat, or cattle:*

Only if unable to locate owner or custodian of animal [VTL 601].

4. When must I exchange information in the event of an accident?

a. *Property Damage:*

Any person operating a motor vehicle who, knowing or having cause to know that damage has been caused to the real property or to the personal property, of another, shall exhibit their license and insurance information before leaving the place where the damage occurred [VTL 600(1)], **or**

b. *Personal injury:*

Any person operating a motor vehicle who, knowing or having cause to know that personal injury has been caused to another person, shall exhibit their license and insurance information to the injured party, if practical, before leaving the place where the personal injury occurred [VTL 600(2)], **or**

c. *Injury to any horse, dog, cat, or cattle:*

Any person operating a motor vehicle which strikes and injures any horse, dog, cat or cattle shall stop and endeavor to locate the owner or custodian of such animal, or a police or peace officer, as well as, take reasonable and appropriate action so that the animal may receive necessary attention, **and** shall also promptly report the matter to such owner, custodian or officer, exhibiting their license and insurance information [VTL 601].

5. Must I still file a Report of Motor Vehicle Accident (MV-104) with the DMV even if a Police Accident Report (MV-104AN) is taken at the scene by law enforcement?

Yes, if a report is required (see above).

6. When may I leave the scene of an accident without notifying law enforcement or complete an accident report (MV-104) – “Exchange info only”? (All three elements must be satisfied)

- a. *Property damage \$1,000 or less; AND*
- b. *No injury to any person or animal; AND*
- c. *Information exchanged, when required.*

7. Can I complete a Report of Motor Vehicle Accident (MV-104) even if I’m not required to by law (e.g., if you are unable to determine if there is damage to the property of one individual (including yourself) that is more than \$1,000)?

Yes, you may still complete an accident report (MV-104).

8. What information do I need to complete the Report of Motor Vehicle Accident (MV-104)?

- a. *Driver’s license information from all drivers involved;*
- b. *Insurance information for all vehicles involved;*
- c. *Registration information for all vehicles involved.*