

## **Car Accident Claims: How Long Do I Have to File?**

*We know your head is spinning.*

Your adrenaline is pumping. You've just been in a car accident, and you're lost. What comes next? What steps can you take to recover the damage or injury that just derailed your life out of nowhere? How much time do you have to file?

Several factors define your options as a Pennsylvania driver at this difficult time. Here are a few facts to keep in mind when preparing to file a car accident claim in Pennsylvania.

### *Common Misconceptions*

- A police report, alone, can prove which driver was at fault.
  - FALSE. It is crucial to gather as much evidence from the incident as possible to solidify your claim. Photos and video evidence can go a long way toward establishing what compensation, if any, may be recovered.
- Paying for an attorney will diminish total compensation
  - FALSE. Contingency fees help ensure you will receive fair compensation after securing an attorney. Hiring an attorney shows insurance companies they are in for a fight.
- It is crucial to talk to the other driver's insurance adjuster.
  - FALSE. Anything you say or inadvertently confess may be used against you in a court of law.

### *How long do you have to file?*

While Pennsylvania Statutes Section 42-5524 states that you have **two years from the date of a car accident** to file a claim, time is of the essence. Filing a claim early can save you countless headaches. The sooner you file a claim, the more leverage can be used against the other side.

It is important to note that, if no police investigated the accident, severe property damage was incurred, and injury or loss of life resulted, you need to **report a car accident within five days**. Otherwise, you could lose your insurance, or even your driver's license.

### *How does your auto insurance policy inform the next steps?*

#### **"No Fault" Coverage**

Pennsylvania is a "choice no fault" state. This means the crash victim does not need to prove who was at fault before collecting prompt financial compensation—both drivers' insurance

companies handle damage recovery in this instance. If you choose no-fault coverage, you want to file under your personal injury protection coverage.

No-fault states like Pennsylvania largely prohibit claimants from filing personal injury claims beyond property damage and medical bills.

Pennsylvania drivers do, however, have two options at their disposal.

### **Limited Tort**

Under limited tort, you may sue a driver to recover damages for serious medical injury (though usually not for pain and suffering). Be aware that there are additional limits to compensation offered by this policy.

### **Full Tort**

Under full tort, the victim may sue the driver for damages, medical bills, *and* pain and suffering. Full tort costs more than limited tort, but opens key avenues to ensure financial compensation for emotional distress.

*“Okay. I’m ready.”*

We know how stressful this is. You don’t have to face this alone. Our experienced attorneys will guide you through the process and make sure you receive any compensation you may deserve. [Click here for a claim review to begin the process.](#)

We can’t change what happened—but together, we can change what happens next.