

What Should You Do If You're Involved in an Accident With an Uninsured Motorist?

Almost every state (including Louisiana) requires licensed drivers to have minimum liability car insurance coverage. This ensures that drivers are able to pay for the damages they may cause to another vehicle in a car accident. Yet, in spite of these laws, there are still a large number of drivers who get behind the wheel without insurance. In fact, it is estimated that [1 in 8 drivers nationwide](#) is uninsured, with 13.7% of motorists in Louisiana driving without any car insurance coverage.

As a driver in Louisiana, this may leave you wondering what would happen if you were in a car accident and the other driver didn't have car insurance. Fortunately, if this happens, you are not without options, as you may still be covered by your own insurance policy, and you may even be able to file a personal injury lawsuit against the other driver. Keep reading to learn more, or reach out to "ABC Law Firm" to find out what your options are for pursuing compensation from the other driver if you've been injured in an accident involving an uninsured motorist.

What Happens When You Collide With an Uninsured Driver?

So, what exactly happens if you get into a car accident with an uninsured driver? This type of collision is referred to as an uninsured motorist accident, and how the accident will be handled will depend on several factors, including who is at fault.

When The Insured Driver is at Fault, "No Pay, No Play" Laws Take Effect

If you (the insured driver) are found to be at fault for the accident, liability will be handled similarly to any other accident you may have been involved in. In this case, your insurance will cover your property damage and injuries (depending on your coverage), and they will pay for the uninsured driver's damages as well. However, one thing that is different in an uninsured motorist collision is that the uninsured driver will be limited in what compensation they can seek due to Louisiana's "no pay, no play" law.

[This law prevents uninsured drivers](#) from claiming the first \$15,000 in bodily injuries and \$25,000 in property damage from an accident even if they aren't at fault. This means even if an insured driver's negligence caused the accident, the uninsured driver may have to pay for their damages and injuries out of pocket.

What if The Uninsured Driver is at Fault?

Things get more complicated if an uninsured driver causes an accident, as they don't have insurance to pay for the other driver's property damage and injuries. Unfortunately, in these cases, the insured driver will likely have to go through their own insurance's uninsured motorist coverage (UIM) to get compensated for the cost of their injuries and repairs to their vehicle. If you do not have uninsured motorist coverage, or the coverage you have does not cover all of your losses, then you may have to sue the uninsured driver for compensation. If you decide to go this route, it's essential that you consult an experienced Louisiana personal injury attorney to help ensure that you get the compensation you deserve.

Steps to Take Following an Accident With an Uninsured Driver

Getting into a car accident can be overwhelming as it is, but finding out that the other driver is uninsured can leave you confused and uncertain about how to proceed. The most important thing is to stay calm and take the following steps to protect your interests moving forward.

Call The Police

After any car accident, it's a good idea to call 911 so that the police can file an accident report, which is critical for your insurance claim. However, this is particularly important after an accident involving an uninsured driver, as the police report can help prove that the other driver was uninsured, making the claims process smoother.

Don't Accept Any Money

An uninsured driver may be scared by the potential legal ramifications of being involved in an accident, and they may try to offer you money if you don't contact your insurance. Whatever you do, don't accept any money, as you may not immediately know the extent of your injuries and property damage, and taking money from the other driver now may limit any future personal injury case you may file.

Gather Evidence

While you wait for the police to arrive, make sure that you gather as much evidence as possible. Write down where the accident occurred, the make, model, and license plate of the other vehicle, and make sure that you get the other driver's name, contact details, and driver's license number. You should also take as many pictures as possible of the scene of the accident, including damage to both cars, any debris in the road, and any other property damage. You

should also ask the police officer who arrives on scene for a copy of their report if possible. All of this information can be crucial in proving fault and speeding up the claims process.

Get Medical Attention

Even if you feel fine after the accident, or you think you just have minor aches and pains, it's still essential that you get medical attention as soon as possible. The fact is that not all injuries are apparent right away, and you may have hidden injuries such as a concussion or internal bleeding that need immediate treatment. Seeking medical attention right away can also help build your case should you decide to sue the other driver for damages.

Consult an Experienced Personal Injury Attorney

Once you get the medical attention you need and you're back at home, the first thing you should do after being involved in an accident involving an uninsured motorist is to find a personal injury attorney near you. Working with an experienced attorney, like "ABC Law Firm", can be essential in making sure that your rights are protected. Additionally, your attorney can prove instrumental by helping walk you through your options for seeking compensation from the uninsured driver.

Contact us today to find out how we can support you if you or a loved one has been injured in a collision involving an uninsured motorist.