

The Washington Accident Reports series presents:

Parking Lot Accidents: Help with Handling Your Parking Lot Claim

Issued by [Davis Law Group, P.S.](#)

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Washington Accident Books & Reports

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What You Need to Know to Handle Your Parking Lot Accident Claim

Report Summary:

Parking lot accidents are different than accidents on traditional roadways for two primary reasons:

1. Parking lots are private property.
2. Police generally do not respond to parking lot accidents.

This report includes:

- Description of differences between parking lot and roadway accidents.
- Information to collect and provide to the insurance adjustors.
- Tactics that insurance adjustors use to minimize claim value.
- Types of automobile insurance coverage.
- Reasons that you should attempt to handle the claim yourself.

Source Material

All statistical information contained within this report is derived from the **2012 Washington State Collision Data Summary** which is published by the Washington State Department of Transportation (WSDOT). WSDOT's Statewide Travel and Collision Data Office (STCDO) collects collision data reports from law enforcement officials at the city, county and state level for all reported collision on all public roadways in Washington State.

Difference #1: Parking lots are private property.

Legally speaking, parking lots are considered private property and do not typically fall under the jurisdiction of local police. For this reason, the state laws that govern state roadways and motor vehicle traffic do not apply to parking lots.

This does not mean that similar cautions should not be taken. Generally speaking, the same rules of the road should still be followed and caution should still be exercised; however, the state agencies such as the police department can't regulate or enforce these rules.

Difference #2: Police often do not respond to parking lot accidents.

Because parking lots are private property, police generally do not respond to parking lot accidents. Most injuries resulting from parking lot accidents are very minor and property damage is typically low. These two factors also reduces the need for police to respond.

There are certain instances which they will respond to a report of a parking lot accident. Some of these circumstances include:

- If someone is seriously injured or killed in the accident
- If a hit and run accident occurs. Hitting someone's car and leaving the scene without taking reasonable efforts to contact the owner, such as leaving a note with your contact information, is considered a hit and run.
- If public property damage occurs in the accident
- If there are indications that drugs or alcohol were involved in the accident
- If there is an indication that reckless driving caused the accident.

Since the police do not respond to these accidents, it is important that you file a police report on your own. It will be necessary to have proper documentation for your claims process with the insurance company. You can do this through the police department in the county where the accident occurred.

Information to Collect for Your Claim

There are many other things that are essential to do to ensure your claims process is as seamless as possible.

It is very important to collect and record a sufficient amount of information about the circumstances of the accident. Make sure to collect the following:

1. Contact information for the other driver: Name, address, and phone number.
 2. Information about the other driver's car: Driver's license number, license plate number, make and model of the car.
 3. Information about the other driver's insurance company: company name, phone number, and policy number.
 4. Witness statements and contact information.
 5. Take photos of accident before moving vehicles out of the way.
 6. Ask owner of parking lot/businesses for any video footage they might have of the parking lot.
 7. Note any relevant factors that might have contributed to the accident, such as weather or parking lot conditions.
 8. Seek medical care so that you have a record of injuries and expenses resulting from the accident.
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Beware of Insurance Tactics to Minimize Claims

In addition to collecting this information and filing a police report, you should report and file a claim with your insurance company as well as the other driver's insurance company.

Not only is it likely that the insurance adjustors will put only a small amount of effort into gathering evidence, but you will likely experience much resistance from the insurance companies in paying you a fair settlement.

The insurance companies want to maximize their profits at the expense of fair compensation to you. These are many tactics insurance companies use to avoid a fair payout, including::

- Delaying payment
 - Requesting unnecessary information
 - Disputing necessity of medical treatment
 - “Nickel and diming” medical and property damage charges
 - Misrepresenting insurance policy benefits
 - Acting as if they are looking out for your best interests
 - Making false promises
 - Denying their client's fault in the accident
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Types of Automobile Insurance Coverage

Since insurance adjustors might not be honest or helpful with what insurance policy benefits you are entitled to, it is important that you understand the different types of insurance coverage you have.

1. Automobile Liability

In Washington, it is required that motorists purchase this type of insurance. The minimum coverage is \$25,000 per person and \$50,000 per occurrence, as well as \$10,000 for property damages. The amount of your automobile liability insurance is the maximum that your insurance company will pay if you cause an accident. To get this compensation, you will need to file a claim with the at-fault driver's insurance company.

2. Personal Injury Protection (PIP)

In Washington, PIP is optional, no-fault coverage. PIP can be used to pay for medical costs and loss of wages, regardless of who caused the accident. To get this compensation, you will need to file a claim with your own insurance company.

3. Uninsured/Underinsured Motorist (UIM)

In Washington, UIM is optional. UIM coverage can be used to pay for medical expenses and property damage caused by another driver who is uninsured or underinsured. Many drivers are uninsured or underinsured, so it is a good idea to have UIM coverage. To get this compensation, you will need to file a claim with your own insurance company.

You May Be Able to Settle Your Own Claim

If you have been in an accident and are considering your legal options moving forward, one of the most important things to consider is whether or not the cost of hiring a lawyer is worth the benefit that legal representation may be able to provide to you and your family.

Davis Law Group believes that accident victims should only hire a lawyer if the victim will be able to recover more compensation with the assistance of an attorney. In many cases, accident victims are able to handle a personal injury claim without having to pay for an attorney.

Injuries and property damage are typically very minimal in parking lot accidents, so it is often likely that victims of a parking lot accident will be able handle the claim on their own without the help of an attorney.

Using the information and tips in this report should help accident victims better understand the legal process and the important pieces of evidence to collect in order to be successful with their claim. If you feel that your claim is complex and wish to explore your legal options with a qualified attorney, please call our office at 206-727-4000 or contact us online at www.DavisLawGroupSeattle.com.

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