CRITICAL EMERGENCY ADVISORY • SOUTH FLORIDA

Just Had an Accident? Don’t Make These Mistakes.

A South Florida Accident Guide: What to Do in the First 24 Hours. The decisions you make immediately following a collision dictate both your physical recovery and your legal compensation under strict Florida insurance statutes.

FL STATUTE § 627.736	POLICE JURISDICTION	FLORIDA HB 837	STATUTE OF LIMITATIONS
14-Day PIP Medical Rule	Mandatory 911 Report	Modified Comparative Fault	2-Year Filing Deadline

1. The First 60 Minutes at the Scene: Immediate Priorities

The chaos following an accident on I-95, the Palmetto, or local South Florida roadways requires calculated actions. Do not rely on verbal agreements or trust that the other driver will do the right thing.

01

Call 911 Immediately

Under Florida law, any crash involving injuries, death, or vehicle damage exceeding $500 legally requires an official law enforcement traffic crash report. An official report prevents the at-fault driver from changing their story later.

02

Capture Visual Proof

Before cars are moved to the shoulder, photograph all angles: full impact zones, vehicle license plates, road debris, skid marks, traffic signals, and weather conditions. Capture wide contextual shots of the entire intersection.

03

Secure Witness Info

Bystanders and passing drivers frequently leave before Florida Highway Patrol or local police arrive. Promptly collect names, cell phone numbers, and brief statements from all independent eyewitnesses.

2. Fatal Mistakes Victims Make in the First 24 Hours

Insurance carriers and their adjusters are trained negotiators whose priority is minimizing settlement payouts. Avoiding these five critical missteps in the first 24 hours preserves your claim's full valuation.

CRITICAL MISTAKE 01

Saying 'I’m Sorry' or Discussing Fault

Polite apologies at the scene are routinely distorted into admissions of liability. Under Florida’s modified comparative fault law (HB 837), if an insurer establishes you were more than 50% at fault, you are barred from recovering any damages from the other party. Stick strictly to basic facts with police and never speculate on what caused the collision.

CRITICAL MISTAKE 02

Delaying Medical Care Beyond 14 Days

Florida Statute § 627.736 imposes a rigid 14-day deadline to seek medical attention from a qualified medical provider. If you fail to be evaluated within 14 days of the crash, your Personal Injury Protection (PIP) insurance will completely deny coverage for your up to $10,000 in medical and lost wage benefits. Adrenaline masks herniated discs, internal bleeding, and concussions—seek medical evaluation on Day 1.

CRITICAL MISTAKE 03

Giving a Recorded Insurance Statement

The other driver’s insurance adjuster may call within hours acting concerned and asking for a 'quick recorded statement to process the property damage.' You are under zero legal obligation to provide a recorded statement to the third party's insurer. Adjusters craft questions designed to lock you into downplaying your pain or admitting partial responsibility before you know the full scope of your injuries.

CRITICAL MISTAKE 04

Posting on Social Media

Insurance claims examiners routinely monitor public and private social media profiles across South Florida. Posting 'I'm fine, just shaken up' or uploading photos at family gatherings will be entered into evidence to allege your injuries are fabricated or exaggerated. Enact a strict digital blackout regarding the collision until your case resolves.

CRITICAL MISTAKE 05

Accepting a Fast Settlement Check

Insurers love offering quick $1,000 to $2,500 payouts within days in exchange for signing a general liability release. Signing this release extinguishes your legal right to pursue compensation forever—even if you later require spinal surgery or months of physical therapy that cost tens of thousands of dollars. Never sign any release without attorney review.

3. Critical Evidence Checklist (First 24 Hours)

Assemble the following evidentiary items into a dedicated file. Preserving these records immediately gives your legal counsel an immense advantage when establishing fault and calculating maximum damages.

Evidence Category	Required Documentation & Action Items
Police & Crash Report	Note the responding officer's name, badge number, police agency (Miami-Dade Police, FHP, BSO, etc.), and the 8-digit Police Crash Report incident number.
Other Driver Credentials	Full name, driver's license number, auto insurer name, policy number, vehicle VIN, license plate state & number, and owner registration details.
Medical Triage Records	Emergency room intake discharge papers, urgent care physician reports, diagnostic imaging (X-rays, CT scans, MRI orders), and all emergency prescription receipts.
Eyewitness & Tow Records	Witness names, telephone numbers, and email addresses. Towing company company name, storage lot address, and receipt detailing vehicle impound location.

4. Next Steps: How to Protect Your Financial Recovery

Once emergency medical care is secured, immediately establish a pain log documenting daily limitations, missed work hours, and medication side effects. Consulting an experienced South Florida personal injury attorney within the first 24 to 48 hours ensures an independent investigation is launched, video surveillance from nearby businesses or traffic cams is subpoenaed before it is overwritten, and all communications with insurance adjusters are managed professionally.

Protect Your Claim Before Talking to an Adjuster

Do not sign insurance waivers or accept premature settlement offers. Speak with a dedicated personal injury attorney to evaluate your rights and ensure your medical care is fully protected.

Get Free Legal Case Review

LEGAL NOTICE: This guide is provided for educational and informational purposes under Florida law and does not constitute attorney-client privilege. Consult a licensed Florida attorney for legal advice tailored to your accident.