LACY KATZEN LLP
Attorneys at Law

After a Crash in New York: The First 72 Hours

Updated for the New York law changes effective May 27, 2026 — print this and keep it in your glovebox.

Under New York's new law, juries decide fault **first** — and a person found mostly at fault recovers **nothing**.
Fault is proven with evidence that disappears in days. What you do in the first 72 hours matters more than ever.

AT THE SCENE

- ☐ **Call 911** — check to see if anyone needs medical help. Request police to the scene even if the crash seems minor.
- ☐ **Move to safety** if you can; exchange names, contact, insurance, and license information with all drivers.
- ☐ **Photograph everything**: vehicle positions and damage, the roadway, skid marks, signals, weather, and your visible injuries.
- ☐ **Get witness names, addresses, and phone numbers yourself** — do not assume the police will collect them.
- ☐ **Make no admissions** about fault, to anyone. Even "I'm sorry" can be used against you under the new rules.

WITHIN 24–72 HOURS

- ☐ **Seek medical attention immediately** and follow your provider's advice. Injuries often surface after the adrenaline fades, and gaps in treatment can undermine a claim.
- ☐ **Tell every provider this is a motor vehicle accident** so bills go to the no-fault carrier, not your health insurance.
- ☐ **Notify your own auto insurance company of the crash promptly** — late notice can jeopardize your benefits.
- ☐ **Write down everything you remember** about how the crash happened, while it is fresh.
- ☐ **Contact an attorney if you are injured** — early investigation (preservation letters, scene photos, camera footage requests) is critical to preserving your claim. Consultations at Lacy Katzen LLP are free.

WITHIN 10 — AND 30 — DAYS

- ☐ File **the MV-104 with the DMV within 10 days** if anyone was injured or property damage exceeds $1,000. Failure to file is a misdemeanor.
- ☐ **File your no-fault application (Form NF-2) with the insurance company within 30 days** of the crash. This strict deadline has few exceptions — missing it can forfeit your medical and lost-wage benefits.

DO NOT give a recorded statement, sign authorizations, or release medical records to the **other driver's** insurance company before consulting an attorney. You have no legal duty to speak with them. They work for the other driver and are trying to gather evidence that can be used against you.

Injured? Free consultation — you pay nothing unless we recover for you. • 585-888-9662 • lacykatzen.com