



# Car accident in Europe: How to react?



European Consumer Centre France

**ECC-Net**

Le guide du consommateur européen

*A car accident is never a situation, which is easy to manage and let-alone when it occurs abroad. You will find some advice hereinafter making your necessary procedures easier in case of an accident in another-EU Member State, especially in France.*

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- The European Accident Statement “constat amiable d’accident”

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# Essential in your glove compartment!

When you drive throughout Europe you should have the following documents handy under all circumstances.

- The green card

This document certifies that you are insured and notably mentions:

- Information about your insurance company
- The number reference of your car insurance contract.

- The European Accident Statement

The European Accident Statement is a harmonised document at European level (the sections are similar whatever the language) and some copies are bilingual (e.g. French-English). Your insurance company can provide you information and the accident report sheet before your trip.

Despite not being compulsory the Accident Statement is essential to expect for a quick compensation for your damage.

## Good to know

In France, as well as in many EU countries, the reflective jacket, as well as the warning triangle were made compulsory.

Some countries such as Germany, Austria and Poland demand also a first-aid kit.

Do not forget to take them away with you when you travel!

## Which law is applicable?

In general, the law of the country where the accident occurred, applies and regulates the responsibilities and compensation. In case of an accident in France, the French law would be applicable.

This principle is valid whatever the nationality of the adverse driver and whatever the country where the insurance company is located.

However, if the accident only involves vehicles registered in another Member State (subject to additional conditions), the law of the registration state applies.

## What to do at the scene of the accident

- Stay calm, don't leave the scene. Secure the accident with the triangle.
- Note the information about the adverse party mentioned on the green card: full name and address of the driver with checking of identity, insurance company, number of insurance policy, registration of the vehicle.
- Note the identity and address of the potential witnesses. Ask your witnesses for their visiting cards, so that you can easily reach them even at their workplace.
- Please carefully fill in the accident statement, which should be signed by the adverse party.
- You don't speak the language of the other driver, don't you? Don't panic! The European statement is standardized, so that the information registered on the document will be easily interpreted by your insurance company.



Therefore, the box "Observations" of the statement can be filled out by the driver in his (her) own language. In last resort, two accident statements - in each respective driver's language - can be completed and signed.

- Only sign the report when you are sure that you understand the situation and you agree to the description made. If there is no available assumption

corresponding to the reality of the facts, do not cross any box. If the statement is not properly filled in, you may actually be held responsible unjustly.

- Read carefully the form before filling in the section (s) in the middle of it. Then put a cross in each of the boxes relevant to the circumstances of the accident. This is a very important section for laying down the responsibility of the drivers involved in the accident.
- Above all, do not forget to mention the number of boxes you ticked at the bottom of the column. Otherwise the adverse party might cross other boxes after the event to your disadvantage.
- You are not allowed to compel the adverse driver to sign the document. In case he wouldn't, so gather the global information mentioned above. You can send - for information only - the accident statement you have filled in on your own to your insurer.

**Attention :** In case of an hit-and-run offence, contact the police and a lawyer.

### ***Good to know***

In some European countries the police compulsorily completes an accident report even if there is only damage to property (vehicles). In France, in the event of an accident with no serious injuries and if both drivers agree to the facts, there is no obligation to contact the police. But even in this case, you should sign an accident statement, because you might get a compensation faster.

## **Compensation**

### **The declaration to your insurance company**

Under French law, the declaration must be sent **within 5 days by registered letter with acknowledgement of receipt.**

### **The European system of compensation**

The European Union created a simplified procedure of compensation for victims of car accidents in another European Member State (directive 2000/26/CE). It enables you in particular to claim a compensation in your country of

residence as soon as you get back.

### **The principle of the system in three points:**

- **A representative of the adverse insurance company in France**

Each European insurance company must name a competent claim representative in the other Member States in order to suggest a compensation for oneself. To know his address for France, please get in touch with AGIRA (see page 7); if you are resident in another EU Member State, the Council of Bureaux as managing organisation of the green card system can be of help, especially with a list of national bodies under:

[http://www.cobx.org/modules/national\\_bodies/](http://www.cobx.org/modules/national_bodies/)

Your insurer or yourself will be able to submit a complete request of compensation to this representative (accident statement, preliminary estimate mentioning the amount for the repairs, potential valuer's report and so on).

- **An offer for a quick compensation**

An offer for a compensation must be submitted to you by the adverse insurer or his correspondent within three months after request, whatever the kind of the harm or damage.

- **A contact in case of problems**

The Mandatory liability insurance guarantee fund may in particular be referred to if the adverse insurer did not name any representative in the different Member States. If you are resident in France you can refer to the French FGAO, for the other countries, the Council of Bureaux can be of help (see above).

If you get no offer from the adverse company within 3 months after your request or if the vehicle identification of the responsible for the accident is impossible you can also refer to the same guarantee fund under :

[http://www.cobx.org/modules/national\\_bodies/](http://www.cobx.org/modules/national_bodies/)

The Mandatory liability insurance guarantee fund must answer your request within two months. Attention : you cannot make a request to the Mandatory liability insurance guarantee fund if you have already referred the same matter to the court.

If you need further information, every Member State has an information bureau. For France BCF, for the other countries the Council of Bureaux can give further information.

## When can your vehicle be repaired?

It depends on many factors: your degree of responsibility for the accident, the kind of insurance contract you took out, the kind and extent of the damage to your vehicle. In any case, please wait for the go ahead from your insurer to avoid any bad surprise.

## Your contact

For any question or in case linked to an accident in another EU country, Iceland or Norway, do not hesitate to contact the ECC-Net.

The European Consumer Centre Network offers free information on consumer rights in the EU and advice in extrajudicial cross-border consumer complaints. The network of 29 centres in Europe, Iceland and Norway is working together to resolve cross-border consumer disputes through out-of-court resolution mechanisms.



For first line advice or to submit a cross-border complaint please contact your local European Consumer Centre: [http://ec.europa.eu/consumers/redress\\_cons/docs/ecc\\_network\\_centers.pdf](http://ec.europa.eu/consumers/redress_cons/docs/ecc_network_centers.pdf)

### Other useful contacts

**Council of Bureaux**  
<http://www.cobx.org>

**AGIRA**  
1 rue Jules Lefebvre  
75431 Paris Cedex 09, France  
Email : [orginfo@agira.asso.fr](mailto:orginfo@agira.asso.fr)

**Fonds de Garantie des Assurances  
Obligatoires (FGAO)**

64 rue DeFrance  
94682 Vincennes Cedex, France  
Tél. : 0033 1 43 98 77 00  
Fax : 0033 1 43 65 66 99

ou

**Bureau Central Français (BCF)**  
1 rue Jules Lefebvre  
75431 Paris Cedex 09, France  
Tél. : 0033 1 53 21 50 80  
Fax : 0033 1 53 21 51 05  
[www.bcf.asso.fr](http://www.bcf.asso.fr)

39 Boulevard Vincent Delpuech  
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**[http://ec.europa.eu/consumers/ecc/index\\_en.htm](http://ec.europa.eu/consumers/ecc/index_en.htm)**

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