

Pennsylvania Car Accident Claim Guide

Everything you need to know to protect your claim

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Free Guide — Updated 2026

1. What to Do Immediately After an Accident

The actions you take in the first 24–72 hours after a car accident can significantly affect your claim value. Follow these steps to protect yourself.

At the Scene

- Call 911 — always file a police report, even for minor accidents
- Photograph everything: vehicle damage, road conditions, injuries, skid marks, traffic signs
- Collect contact and insurance information from all drivers
- Get contact info from witnesses
- Do not admit fault or apologize — even "I'm sorry" can be used against you

After Leaving the Scene

- Seek medical attention immediately — even if you feel fine. Symptoms can appear days later
- Report the accident to your insurance company
- Do NOT give a recorded statement to the other driver's insurance
- Contact an attorney before accepting any settlement offer

2. Understanding Pennsylvania's Tort System

Pennsylvania is a "choice no-fault" state, which means your ability to sue for pain and suffering depends on the type of auto insurance you chose.

Full Tort

Full tort allows you to sue for all damages including pain and suffering, regardless of injury severity. This is the stronger option for plaintiffs.

Limited Tort

Limited tort restricts pain and suffering claims unless you suffer a "serious injury" — defined as death, serious impairment of a body function, or permanent serious disfigurement.

Exceptions to limited tort: drunk driver, uninsured driver, commercial vehicle, out-of-state vehicle.

How to Find Out Which You Have

Check your auto insurance declarations page. If you're unsure, call your insurance agent. An attorney can also review your policy at no cost.

3. Statute of Limitations

Pennsylvania, New Jersey, and Delaware all have a 2-year statute of limitations for personal injury claims from the date of the accident.

- Pennsylvania: 2 years from date of accident

- New Jersey: 2 years from date of accident
- Delaware: 2 years from date of accident

Government vehicle involved? PA requires a 6-month notice of claim. Missing this deadline can bar your case entirely.

Missing the deadline means your case is permanently barred. Do not wait.

4. What Affects Your Settlement Value

Settlement values in car accident cases vary widely. Here are the key factors:

Factors That Increase Value

- Severe or permanent injuries
- High medical bills and ongoing treatment
- Significant lost wages or lost earning capacity
- Clear liability (other driver ran red light, DUI, etc.)
- Full tort coverage
- Strong documentation and evidence

Factors That Decrease Value

- Limited tort coverage (unless exception applies)
- Shared fault (PA modified comparative negligence — award reduced by your % of fault)
- Gaps in medical treatment
- Pre-existing conditions in the same injury area
- Giving a recorded statement to the insurance company

5. Common Insurance Tactics to Watch Out For

Insurance adjusters work for the insurance company — not for you. Here are tactics they commonly use to reduce your settlement:

- Requesting a recorded statement — you are not required to give one
- Offering a quick lowball settlement before you know the full extent of your injuries
- Asking you to sign a medical release that gives them access to your entire medical history
- Monitoring your social media accounts for posts that contradict your injury claims
- Delaying your claim hoping you'll accept a lower offer out of financial pressure

Rule: Do not speak with the other driver's insurance company without an attorney present.

6. How YourMedLegal Can Help

YourMedLegal is a free service that connects injured people with experienced personal injury attorneys in PA, NJ, and DE. Here's what we do:

- Match you with an attorney who specializes in car accident cases in your area
- Connect you with a doctor if you need medical treatment
- Completely free — you pay us nothing, ever
- Attorneys work on contingency — no fee unless they win
- Response within minutes

Visit yourmedlegal.com or call (641) 348-4545 to get your free case review today.