

## **What Happens If the Police Report Gets Fault Wrong?**

### **An Albuquerque car accident lawyer explains how the system works in New Mexico**

If you've been involved in a serious [car accident](#) in Albuquerque or elsewhere in the state, a police officer likely responded to your crash. The official [New Mexico car accident report](#) (known as the [State of New Mexico Uniform Crash Report](#)) is often a critical piece of evidence in many claims.

So what should you do if your official accident report is wrong? What if it incorrectly identifies who caused the crash? This is a very important mistake that needs to be corrected right away. An Albuquerque car accident attorney at [Szantho Law Firm, P.C.](#) explains what to know.

### **What information is included in a New Mexico car accident report?**

Police officers in New Mexico who respond to a motor vehicle crash often fill out a State of New Mexico Uniform Crash Report. This official document contains valuable information, including:

- The names and personal information of all drivers involved in the collision
- The exact time, date and location of the crash
- The types of injuries sustained
- Contributing factors that caused the collision
- Whether any of the drivers were under the influence of alcohol or drugs at the time of the crash
- The names and contact information of witnesses

### **Can mistakes be corrected in an official police New Mexico car accident report?**

Yes. If you believe the investigating police officer who responded to your crash and filled out a report made a mistake, you can ask that officer to make a correction. This might sound straightforward. However, actually convincing a local police officer or a state trooper with the New Mexico State Police to change the official report can be challenging.

Often, the best way to request a correction is to do so in writing. You should clearly state the mistake and explain what should be corrected in simple and straightforward language. An experienced New Mexico car accident lawyer can help you with this so there are no mistakes in your request for a correction.

### **What if there's an error regarding fault in my official car accident report?**

This type of error can be much harder to correct than simple factual errors, such as when or where the crash took place. If the investigating police officer claims you or someone else is at fault for causing the collision – instead of who actually caused the crash – getting the officer to

change the at-fault determination can be more difficult, since such requests may be considered subjective.

Often, the best way to convince the law enforcement agency to change its determination of who caused the crash is by providing the police with evidence, including:

- Video footage that clearly shows how the crash occurred.
- Statements from witnesses who clearly saw what happened.
- Analysis provided by an accident reconstruction expert.

The more evidence you present to the police in support of your request for a correction, the more likely the investigating police officer will change or amend the original accident report.

### **What if the police refuse to change my New Mexico car accident report?**

Don't be surprised if the investigating police officer refuses to change or amend their original report, especially if there's a dispute concerning who was at fault for causing the collision.

Again, it's not enough to simply say, "There's a mistake." Law enforcement agencies want evidence that a mistake was made and needs to be corrected. But even when presented with clear evidence, some police officers still refuse to make changes to the original accident report.

If this occurs, don't personally push the police to make such changes. Let your lawyer deal directly with the law enforcement agency handling the investigation. Your attorney can make such requests for corrections or submit a formal statement on your behalf explaining what happened in your own words.

### **Does a New Mexico police report decide who was at fault for my crash?**

The short answer is no. It's just the start. Many people assume that whatever the officer writes in the New Mexico Uniform Crash Report is the final word on fault. It's not. The report is an important piece of evidence that insurance companies and lawyers take seriously, but it does not legally decide who was responsible for causing the crash.

In New Mexico, fault is ultimately decided by the people handling your claim or lawsuit – insurance adjusters during settlement talks, or a judge or jury if your case goes to court. They look at the entire body of evidence, which can include your police report, photographs, video footage, physical damage, medical records and witness statements. If the report contains errors or one-sided conclusions, that does not lock you into being blamed forever.

This matters because New Mexico uses a fault-based system for car accidents. The at-fault driver can be held financially responsible for someone else's injury-related losses. If the officer misunderstood what happened or drew the wrong conclusions, the insurance company may try to rely on that version to avoid paying you. But it's not the end of the story. You have legal options at your disposal for setting the record straight and demanding the money you deserve.

## **How do insurance companies use car accident reports in New Mexico?**

One of the big reasons why these reports are so important in New Mexico is because insurance companies often refer to these reports when deciding who's responsible for causing the collision – and paying for it as well.

New Mexico has an at-fault (tort) car insurance system. That means the at-fault party is responsible for paying for accident-related expenses suffered by injury victims. That's why it's critical that your report accurately reflects what actually occurred at the time of your crash.

So if there's a mistake in your official car accident report about who's at fault, the insurance company for the real at-fault party will often cite the police report as evidence that their client didn't do anything wrong and that they're not responsible for paying for your crash.

## **Why should I hire an Albuquerque car accident attorney?**

Disputed-fault crashes in New Mexico become even more complicated when the investigating officer includes inaccurate information in the official report, particularly regarding who was at fault.

This is a very complicated legal issue that needs to be addressed promptly and professionally. That's why it's important that you have an experienced Albuquerque car accident lawyer on your side, helping you every step of the way. Our legal team at [Szantho Law Firm, P.C.](#) knows exactly what to do and we have the [case results](#) to prove it, including \$250,000 recovered in one car accident case.

Get a New Mexico law firm ready to fight for you. [Contact us](#) and schedule a [free case evaluation](#) right away. Our office is conveniently located at Prospect Avenue NE in Albuquerque. We also have another office in Santa Fe. Best of all, we work on a [contingency fee](#) basis. That means you only pay us if we obtain a financial settlement or verdict for you.