

交通事故處理流程

一、現場如何處理？

★無人傷亡交通事故

凡車輛毀損輕微而無人傷亡之交通事故,應先將肇事汽車之四個車角或肇事機

車輪胎以噴漆、粉筆或尖硬物在地上標繪定位後,迅速將車輛移置路旁不妨礙

交通處所,再報警處理。

★有人受傷或死亡交通事故

為應警察人員蒐證、調查之需,應暫時保留現場,立即報警處理,但必須在車輛前後適當位置放置警告標識,以免阻礙交通及再次發生事故。

二、如何報案？

凡在本市市區道路發生交通事故時應立即報警處理,報案電話:可撥110。報案人報案時應說明肇事發生詳實地點與時間、車種與號牌有無傷亡及報案人姓名、地址等資料;報案後在原地等候處理人員抵達處理。當事人親自報案,凡符合刑法自首要件者,可依法減刑。

三、現場處理完畢後應注意辦理那些事項？

(一)民事賠償:

1、無人傷亡,僅車輛毀損、財物損失交通事故屬民事案件,請當事人自行協調理賠或委託保險公司辦理,若無法達成和解,請逕向當地區公所調解委員會申請調解或向地方法院民事庭訴請審理(民事賠償依規定警察不得主動干涉)。

2、民事賠償屬告訴乃論案件『不告不理』,現場處理警察機關,不會主動通知辦理,當事人應自行依法辦理。

(二)肇事原因研判分析:

1、交通事故現場處理完畢後,當事人如欲了解研判結果,請於事故發生後三十日在辦公時間主動親往交通大隊聯合服務中心查詢。

2.臨時收據換領代保管物件(包括駕照、行照、號牌或空車):當事人於查詢肇事原因研判分析結果時,若無違規事實,請持代保管物件臨時收據向服務人員換回暫代保管物件;若有違規之事實,亦請當事人向服務人員領取違規通知單,逕向應到案處所接受裁罰。

(三)刑事傷害告訴:

有人受傷交通事故,當事人無法自行和解,欲提出傷害告訴時,請主動向肇事地點轄區分局刑事組或管轄地方法院提出告訴。

涉外事故:當事人係外籍人士請逕向台北市政府警察局外事服務站洽辦。

軍車事故:當事人係軍人請向當地憲兵機關洽辦。

(四)肇事逃逸案件:

1、對方肇事逃逸,請立即向「110」報案,並在現場等候處理

2、肇事逃逸者無法當場追查或案情輕微,交通大隊將先以掛號通知肇事車主,轉知肇事人於約定時間接受調查。並另以掛號通知報案人同時到案說明,故報案人應留下本人詳實之連絡電話號碼,並靜候交通大隊掛號通知。

3、發生交通事故應立即停留現場,妥善處理或報警處理,切勿自認沒事逕行離開,以免事後遭對方檢舉肇事逃逸致嚴重影響個人權益。

4、交通事故現場肇事雙方無法自行和解時,請立即報警處理,切勿置之不理駛離現場。

5.肇事現場當場對方有施暴力傾向,因恐懼受到傷害而避離現場,請立即向警方報案,以免被檢舉肇事逃逸。

四、應如何辦理申訴與申請鑑定？

(一)如何申訴:

1、對於交通大隊肇事違規罰單內所舉發違規事實有異議時,請向市交通事件裁決所提出申訴。

2.線上申訴

(二)如何申請鑑定:

對於交通大隊肇事原因研判分析有異議時,可在發生當時起六個月內逕向:

台中市區車輛行車事故鑑定委員會提出申請

地址:台中市北屯路77號

電話:04-2231-9189

Traffic Accident Handling Process

1. How to Handle the Scene?

★ No Injuries or Fatalities in Traffic Accidents

In the case of a traffic accident where the vehicle is only slightly damaged and there are no injuries or fatalities, the first step is to mark the four corners of the involved vehicle or the tires of the involved motorcycle on the ground using spray paint, chalk, or a sharp object to establish the accident's position. Then, promptly move the vehicle to the side of the road to avoid obstructing traffic, and report the accident to the police.

★ Accidents with Injuries or Fatalities

To assist police officers in gathering evidence and conducting investigations, the accident scene should be temporarily preserved. The accident must be immediately reported to the police, and appropriate warning signs should be placed in front and behind the vehicle to prevent further accidents and avoid obstructing traffic.

2. How to Report the Accident?

In the event of a traffic accident occurring on city roads, it must be reported to the police immediately by calling 110. When making the report, the caller should provide detailed information including the exact location and time of the accident, the type of vehicle and license plate, whether there are any injuries or fatalities, and the name and address of the person making the report. After reporting, the person should wait at the scene for the authorities to arrive. If the involved parties report the accident themselves and meet the legal requirements for voluntary surrender, they may be eligible for a reduced sentence under criminal law.

3. What Should Be Done After the Scene is Handled?

(1) Civil Compensation:

1.No Injuries or Fatalities, Only Vehicle or Property Damage: If the accident involves no injuries or fatalities and only vehicle damage or property loss, it is considered a civil matter. The parties involved should negotiate compensation on their own or through their insurance companies. If an agreement cannot be reached, they can apply for mediation through the local district office's mediation committee or file a civil lawsuit at the district court. (Note: Police are not allowed to intervene in civil compensation matters.)

2.Civil Compensation is a Prosecution-Only Matter ("No Prosecution, No Action"): For civil compensation claims, the police will not proactively intervene in such cases. The involved parties should handle the matter through legal channels themselves.

(2) Analysis of the Cause of the Accident:

1.After the accident scene has been handled, if the involved parties wish to understand the results of the accident cause analysis, they should visit the Traffic Division Joint Service Center within 30 days after the incident during office hours to inquire.

2.Temporary Receipts for Safekeeping Items (including driver's license, vehicle registration, license plate, or empty vehicle): When inquiring about the results of the accident cause analysis, if no violation is found, the involved parties can exchange their temporary receipt for safekeeping items with the service personnel. If violations are found, the parties should receive a notice of violation from the service personnel and go to the designated location for punishment.

(3) Criminal Injury Complaints:

In the case of an injury in a traffic accident where the involved parties cannot reach a settlement on their own and wish to file an injury complaint, they should proactively file the complaint with the Criminal Division of the police precinct in the area where the accident occurred or with the competent district court.

•**Foreign National Involvement:** If the involved party is a foreign national, they should contact the Foreign Affairs Service Station of the Taipei City Police Department for assistance.

•**Military Vehicle Involvement:** If the involved party is a military personnel, they should contact the local military police authorities for assistance.

(4) Hit-and-Run Cases:

1.If the other party flees the scene, immediately report it to "110" and wait at the scene for processing.

2.If the hit-and-run driver cannot be traced on the spot or if the case is minor, the Traffic Division will send a registered notice to the vehicle owner, informing them of the time to report for investigation. The person who reported the accident will also receive a registered notice to come in for questioning. Therefore, the person reporting the accident should leave their detailed contact number and wait for the registered notice from the Traffic Division.

3.In the event of a traffic accident, stay at the scene immediately, handle the situation properly, or report it to the police. Do not leave the scene assuming everything is fine, as you may later be reported for a hit-and-run, which could severely affect your rights.

4.If the parties involved in the accident cannot resolve the matter on their own, immediately report it to the police. Do not leave the scene without reporting.

5.If the other party at the scene shows signs of violent behavior, and you leave the scene out of fear of harm, you must immediately report the incident to the police to avoid being accused of a hit-and-run.

IV. How to File a Complaint and Apply for Appraisal

(1) How to File a Complaint:

1.If you disagree with the violation stated in the traffic ticket issued by the Traffic Division, you may file a complaint with the City Traffic Incident Adjudication Office.

2.Online Complaints: Complaints can also be filed online.

(2) How to Apply for an Appraisal:

If you disagree with the Traffic Division's analysis of the cause of the accident, you may apply for an appraisal within six months from the date of the incident by directly submitting a request to the:

Taichung City Vehicle Traffic Accident Appraisal Committee

Address: No. 77, Beitun Road, Taichung City

Phone: 04-2231-9189