

# Tort Tips

## for Business Attorneys

from THE CORSON & JOHNSON LAW FIRM

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## Welcome!

Welcome to the April Issue of Tort Tips. Because we specialize in personal injury, we frequently find laws that could affect business and family attorneys—often times without their awareness of the legal implications for their firm and clients. If you have any questions or would like more information, please contact us.

## Suspended License for Failure to Report Minor Auto Accident

### Driver's license suspended even though injuries unknown

One's driver's license can be suspended for not reporting an injury the driver did not know about. *Hazen v. Driver and Motor Vehicles Services Division*. Ms. Hazen had been involved in a three-car traffic accident on a public road. All three cars sustained only minor damage, none exceeding \$1,500. One of the drivers, however, was injured in the accident. That driver testified at a suspension hearing that she was injured in the collision but she had not informed anyone of her injuries at the scene, her injuries were not immediately observable, and she denied injuries to the investigating police officer.

Ms. Hazen argued that because she was unaware of the injuries, she was not required to file an accident report. The Administrative Law Judge found that drivers are required to file accident reports when an injury occurs, whether the driver is aware of the injury or not. The Court of Appeals upheld the suspension, noting that

## Recent Cases

### \$1.5 Million Personal Injury Recovery

An Oregon Department of Transportation driver involved in a "road rage" incident on the Santiam Highway turned a pickup truck into the oncoming lane of traffic.

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### \$350,000 Settlement in DUI Car Crash

A social host liquored up his 19-year-old guest, then turned the under aged driver loose on the public, causing a collision that severely injured another party.

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### Nursing Facility Failures Resulted in Death

A skilled nursing facility hired an uncertified nursing assistant to provide care to the elderly residents of its long-term care ward. [READ MORE](#)

## Suspended License for Failure to Report Minor Auto Accident *(continued)*

there is nothing in the reporting requirement statutes (ORS 811.720 - 811.750) indicating the Legislature intended to limit the reporting requirements and the suspension penalty (ORS 809.417) to circumstances where the driver was or should have been aware of an injury.

This new case prompts us to modify our comments in our June 2010, Tort Tips about reporting auto accidents. The conservative legal advice to a client after Hazen would be to report any collision that has the possibility of injury to another.



Attorneys representing individuals with catastrophic or serious personal injuries, and families with wrongful death claims, from defective products, truck and auto collisions, medical negligence, construction and industrial accidents, and nursing home abuse.