

# What To Do if the At-Fault Driver Was Uninsured or Underinsured in a California Crash

**Don't let a driver without insurance leave you without justice. Contact a skilled car accident lawyer in Los Angeles today!**

Being involved in a [car accident](#) on Los Angeles roads can leave you shaken up. At the crash scene, you notice that your car is damaged, but then you find out the other driver [doesn't have insurance](#). Or maybe they do, but it barely covers anything. Now what?

This is more common than you think in California. In fact, California is among the states with the [most uninsured drivers](#). If you find yourself in a crash with one, knowing what to do next can make all the difference in how fast you recover and how much compensation you receive.

## What are the insurance requirements in California?

In California, drivers are required by law to [carry minimum liability insurance](#). The minimum required limits are:

- \$30,000 for injury or death to one person
- \$60,000 for injury or death to more than one person
- \$15,000 for property damage

While this may be enough for minor car accidents, it often falls short in crashes involving serious injuries or extensive vehicle damage. Even among drivers who have insurance, underinsured driver claims are common. Many drivers meet the legal minimum but not the real-world cost of an accident.

## Who pays for damages after a crash with an uninsured or underinsured driver?

Unsure how your damages will be paid after a crash with an uninsured or underinsured driver? Here are some options to help cover all, or at least some, of your losses.

### Uninsured/underinsured motorist coverage (UM/UIM)

In California, Uninsured Motorist (UM) and Underinsured Motorist (UIM) coverage is an optional add-on to your own auto insurance policy (though it's often highly recommended).

If you have UM/UIM coverage, your own insurance company will compensate you for medical expenses, property damage, pain and suffering, and other losses (up to your policy limits) when you're in a car accident caused by a driver who is uninsured or insufficiently insured.

If you don't have UM/UIM coverage, you might be unable to collect payment for your damages if the other driver can't pay—unless you successfully sue the at-fault driver and recover from their personal assets. However, this is often difficult if they lack insurance.

### **California PIP and MedPay options**

California is not a “no-fault” insurance state, so it doesn't offer typical Personal Injury Protection (PIP) coverage like some no-fault states do. Instead, California drivers can purchase an optional add-on known as “Medical Payments” (often called “MedPay”).

This helps pay medical bills for you and any passengers in your vehicle, regardless of who is at fault for the car accident. It's usually offered with lower coverage limits compared to PIP.

Unlike PIP, MedPay in California is purely voluntary and typically covers only direct medical or funeral expenses. It doesn't include broader benefits that PIP may offer, such as lost wages or rehabilitation costs.

### **Health insurance options**

Most health insurance plans cover necessary treatments after a car accident, but you may be responsible for deductibles or copays. In California, coordination with auto insurance involves subrogation, where your health insurance provider might seek reimbursement if you later receive a settlement from an at-fault driver's policy or your uninsured/underinsured motorist coverage.

While some plans exclude crash-related injuries if they consider auto insurance primary, you can typically submit claims unless your plan states otherwise. If unsure, check your policy for any limitations on car accident injuries. If you experience severe injuries or complicated fault issues, an experienced California car accident attorney can guide you through the process and ensure proper handling of any reimbursements.

### **Suing the at-fault driver directly**

You can sue the at-fault driver directly in California, but there are challenges in doing so. Suing an uninsured or underinsured driver often means they may not have the assets to pay, even if you win a judgment. Before suing the at-fault driver directly, talk to an experienced California car accident lawyer who can help you explore all your potential options.

### **What if I was injured in a hit-and-run?**

If you were injured in a hit-and-run accident in Los Angeles or anywhere else in California, you still have options to recover compensation, even if the at-fault driver can't be found. The most important step is to report the car accident to the police immediately. A [police report](#) is also

often required if you plan to file a claim under your UM coverage. This coverage steps in when the at-fault driver is unknown or uninsured. If you don't have UM coverage, you might still use MedPay for medical bills or collision coverage for vehicle damage.

## **Steps to take after a crash with an uninsured or underinsured driver**

If you're in a car accident with an uninsured or underinsured driver in California, take action right away to protect your rights. Here's what to do:

### **Call 911 and seek medical attention**

After a crash with an uninsured or underinsured driver in California, call 911 right away. Request medical assistance if you or anyone else is injured. A police report is important for your claim, especially when the at-fault driver lacks insurance. The report can serve as key evidence in an insurance claim or lawsuit.

### **Document everything at the crash scene**

If you can, use your phone to take photos of the vehicles, visible injuries, damage, skid marks, road conditions, and the other driver's license plate. Gather contact information from witnesses and exchange details with the other driver, even if they admit they're uninsured. The more information you have, the stronger your claim will be later.

### **Never accept a cash offer**

Some uninsured drivers might offer you cash at the scene to avoid consequences. Don't accept it. Politely decline and let law enforcement document the situation. Accepting cash could hurt your chances of filing a proper claim later.

### **Notify your insurance company**

Let your insurance provider know about the crash as soon as possible. Only provide the basic details and don't go into the specifics of who was at fault. Also, never admit fault, as this can hurt your chances of getting compensation.

### **See a doctor and keep all medical records**

Even if you feel fine, see a doctor right away. Injuries such as whiplash or internal trauma may not appear immediately. Keep copies of all medical records, bills, prescriptions, and diagnoses. These documents can help prove your injuries and strengthen your claim.

### **Talk to an experienced car accident lawyer in California**

Handling a complicated UM/UIM claim alone can be risky. That's why consulting with an experienced car accident lawyer is a smart move. An attorney can advise you on your rights, help you explore your options for compensation, handle all negotiations and communications with insurance companies, and fight for the maximum compensation you deserve under California law.

### **Let a Los Angeles car accident attorney from Oaks Law Firm sort out your case**

Cases involving uninsured and underinsured drivers can be complicated and frustrating, but that doesn't mean you're out of options. At [Oaks Law Firm](#), our dedicated legal team is here to dig deep, uncover every possible source of compensation, and fight to get you every dollar you're owed.

We know how to take on insurance companies that try to take advantage of crash victims when they're hurt, overwhelmed, and vulnerable. We've helped countless clients in the San Fernando Valley and beyond recover maximum settlements for medical expenses, lost wages, and pain and suffering. Our clients come to us for answers and stay because we deliver results.

### **Why Us? Because We Listen! <sup>™</sup>**

When you [contact us](#), we'll listen to your story and answer any questions you have. Plus, we never charge you a penny unless we win your case. To see how we can help with your potential legal case, schedule a free case evaluation today with our law firm. We'll take the pressure off your shoulders so you can focus on healing and moving on from your crash.

*"Great law firm to work with. Very quick to respond to questions and always fighting for their client."* - A.K., 