



When your future  
is at stake.

## *What is a “Phantom Motor Vehicle?”*

Single-car [accidents](#) are not always the fault of the driver of a crashed vehicle. Often, these accidents occur due to “miss and runs.” A miss and run occurs when another driver comes into your lane or otherwise runs you off the road without making physical contact with your vehicle. Often, these “miss and run” offenders continue driving because their vehicle was not involved in the crash. Because the “miss and run” vehicle disappears, it is referred to under Wisconsin law as a “Phantom Motor Vehicle.” This type of accident can leave you with serious damage and injuries but with no driver or insurance company to hold responsible.

Fortunately, your [uninsured coverage](#) through your auto insurance policy can reimburse you for your losses if you are the victim of a miss and run accident. Unfortunately, the law setting out the requirements to qualify for such coverage became significantly stricter in 2011 after Governor Walker’s repeal of the “Truth in Automobile” law.

### **Phantom Vehicle Defined by Statute**

Section 632.32(2)(bh) of the Wisconsin Statutes defines what a “Phantom Motor Vehicle” is. If all of the following apply to a vehicle, it meets the statutory definition of a “Phantom motor vehicle;”

1. The motor vehicle is involved in an accident with a person who has uninsured motorist coverage
2. In an accident, the motor vehicle makes no physical contact with the insured or with a vehicle the insured is occupying
3. The identity of neither the operator nor owner of the motor vehicle can be ascertained

If you have been injured because of the actions of a Phantom motor vehicle driver, there are important things you must consider immediately following such an accident.

## **Requirements for Uninsured Motorist Compensation After a Phantom Motor Vehicle Miss and Run Accident**

According to section 632.32(2)(g)2 of the Wisconsin Statutes, the requirements that must be met in order for your uninsured motorist benefits to provide coverage for this type of claim include the following:

- You must report the accident to the police within 72 hours of the occurrence;
- Someone other than you must corroborate your claims regarding the phantom vehicle causing your accident and the corroborating individual cannot make his or her own claim against your uninsured coverage as a result of the accident; and
- Within 30 days after the accident, you must file with your insurer a statement under oath outlining certain facts.