

## **Motor Vehicle Accident in British Columbia – First Steps**

“Justice is the insurance which we have on our lives and property. Obedience is the premium we pay for it.” – William Penn

**There is a single, golden rule to remember at the scene of the accident: do not admit fault.**

Motor vehicle accidents are traumatic and confusing. It is human nature to reach out to make sure everyone, including someone you may have never met before, is okay. As Canadians, we are stereotyped on our willingness to apologize and accept fault – even if we did nothing wrong. However, the golden rule requires you to relax and take a moment before interacting with anyone at the accident scene. Take time to recollect what happened and consider what led to the accident. There is rarely a time where rushing to apologize and admitting fault is beneficial. There will be plenty of time for that later.

### **At the Scene of the Accident**

- If anyone is injured, call 911.
- Identify everyone involved in the accident.
- Gather information including:
  - License plate numbers of all vehicles involved
  - A description of the involved vehicles
  - Driver’s license numbers and addresses for the drivers and owners of all involved vehicles, including their contact information
  - Names of all people involved in the crash
  - Witness names, addresses, and contact information
  - Gather picture-evidence of key factors including:
    - Vehicles involved
    - Accident scene
    - Weather conditions
    - Nearby road signs
    - Any nearby hazards that may have contributed to the accident

- Write down a brief description of how the accident happened. Include factors such as:
- Time and date of the accident and what the weather conditions were like
- Specific location of the accident (include street names, nearby addresses, or nearby landmarks)
- Direction of travel for both vehicles, what lane you were traveling in, and distance from any relevant intersection
- Document any conversations you have with other involved parties, witnesses, and police as soon as possible to keep them accurate – including the name and badge number of any attending police officers.

### **Obtain Necessary Medical Treatment**

- It is necessary to seek any necessary medical treatment, as a failure to seek medical treatment could aggravate your condition and result in limited compensation for your injuries.
- Even if you think you did not sustain any injuries, it is better to be checked out by a Doctor to get confirmation of your health to avoid long-term repercussions of not properly being treated.
- Document any injuries you have (take pictures if they're visible) and any treatment you receive. Keep a diary of how they feel and the progression of your recovery.

### **Keep Records**

- Document everything.
- To be compensated for injuries, treatment, out of pocket expenses, damage to property, or anything else lost due to the accident – you must have a record (receipts, prescriptions, letters of confirmation, etc) to prove your expenses.
- Any evidence of damage to property (destroyed clothes, etc) should be kept to prove your loss until the claim is resolved

### **Consider Retaining a Lawyer**

- ICBC's role in accident claims can be confusing. For motorists insured in British Columbia, ICBC is your insurer when fixing your car, dealing with wage loss benefits, and no-fault medical expenses. On the other hand, the ICBC adjuster that helped you is often the adjuster working with the other individual involved in the accident. The role of the adjuster shifts and

is directed at minimizing your claim.

- There are notice periods that must be met, including informing ICBC of the accident including particulars so that ICBC can determine who is at fault. To gain benefits from Part 7 and Tort claims, these notice periods must be met in a timely fashion.
- This is likely not your area of expertise. One missed notice period or one misfiled document can have critical repercussions with regard to your claim.

### **Why Us?**

- We offer a free first consultation to determine the extent of your claim and the likelihood of success.
- We don't get paid until you do. For personal injury claims, including motor vehicle accidents, we charge 25% of the recovered claim if the matter is settled before trial or 30% of the recovered claim if the matter is decided at trial.
- We cover out of pocket expenses and court fees that you may be unable to afford and will recover those out of the settlement or court awarded damages upon completion of the claim.