

Cyclist's **Collision** Checklist

Steps to follow if you're involved in, or witness, a cycling collision

Carry this information with you— your right to justice and compensation may depend on it.

If you have been in a collision you may tend to minimize your injuries due to shock. If possible, get someone to help you work through the following steps. If you have witnessed a collision, be prepared to administer first aid (if you are trained) and assist those involved with these steps.

- 1.** Check for injuries. Call 911 if anyone is hurt or there is property damage over \$100—these collisions must be reported to police. You and the driver are legally required to stay at the scene and exchange information.
- 2.** Write down the following as soon as possible, while fresh in your mind:
 - Location, date and exact time
 - Vehicle license plate, make, model, and colour
 - Driver's name, address, date of birth and license number directly from the driver's licence. Do not accept a business card as a substitute.

Then, write down:

 - Details of the incident and circumstances, including a diagram. Include weather, road conditions, visibility, lighting, speeds, direction of travel, location of impact
 - Description of your clothes and your bicycle, anything the driver or witnesses said or any, fact or unusual circumstance that may assist in your case.
 - A description of the driver (age, height, distinguishing features), especially if they leave the scene.
- 3.** Look for witnesses: drivers, passengers and passersby. Get names, numbers and addresses, and ask them to wait for the police. (Police involvement may depend on the extent and seriousness of the collision.) Ask witnesses to describe what they saw and, if possible, take photos. You may also seek witnesses by posting signs and advertising in the newspaper.
- 4.** If police attend, get a copy of the accident report or case number. Take down the name and badge number of the officer. If appropriate, politely ask the officer to issue a ticket to the driver.

WHEN YOU GET HOME

- 5.** See a doctor immediately, even for minor injuries, and go for follow up evaluations as directed. Some injuries such as soft tissue damage take time to surface. You may require a written assessment of your injuries.
- 6.** If police did not attend, for an accident in a municipality you must file a police report within 24 hours. Outside a municipality, you must file a report at the nearest RCMP station within 48 hours. This requirement can also be met by calling ICBC's Dial-A-Claim service. (Outside Greater Vancouver 1-800-910-4222; Greater Vancouver 520-8222 or www.icbc.com.)
- 7.** If there are damages or injury, file an ICBC claim as soon as possible with ICBC's 24-hour Dial-A-Claim service. Have all information ready including vehicle and driver's licence numbers, witnesses' names and phone numbers, and your police report number if you have obtained one.
- 8.** You may be covered in the event of a hit and run collision if you've made a reasonable attempt to identify the driver. To report a hit and run that you have witnessed or been involved in, call TIPS BC Line 1-800-661-6844 or TIPS Lower Mainland 604-661-6844. You may be able to get compensation or medical coverage for damages caused by dogs, road hazards, other cyclists, or even if you were responsible for the collision. The ICBC adjuster may be able to give you information about such coverage. Report your claim as soon as possible or risk losing compensation.
- 9.** Document and save evidence. Photograph all damage, including your injuries. Be prepared to show damaged items (bike, helmet, accessories and clothes) to an adjuster and save receipts and appraisals for any items you have to replace. Keep medical statements, receipts from all medical professionals and records of lost work time. Keep a detailed diary about injuries, pain, time taken off from work and all other costs related to the collision.
- 10.** Consider consulting a lawyer with experience representing cyclists. You can get a free initial consultation or you can call Lawyer Referral Service at 1-800-663-1919 for a \$25 consultation.

Even if you miss some of these steps, you may still be able to seek compensation.

Report Serious Incidents

Report near-collisions caused by driver aggression or carelessness. If the incident has resulted in an injury or property damage, call 911 and follow the steps in this brochure. You should also call 911 if you suspect the driver is drunk or poses an immediate threat to other road users.

Reporting serious incidents:

- Raises police awareness of drivers endangering cyclists
- May lead to the driver being ticketed or warned
- Creates a record for habitually dangerous drivers

Even if you're not injured, you can still file a police report in the municipality where the incident occurred. You will be asked to make a written statement of the incident. If charges are laid, you may have to act as a witness in traffic court. If charges are not laid, the driver may receive a warning.

Avoid making "nuisance" complaints. However, if your concern is of a serious nature, obtain a police report number and follow up on the outcome.

Non-Emergency Police Contacts	
Victoria and Esquimalt	(250) 995-7654
Oak Bay	(250) 592-2424
Saanich	(250) 475-4321
Central Saanich	(250) 652-4441
West Shore RCMP	(250) 474-2264
Sidney RCMP	(250) 656-3931
Sooke RCMP	(250) 642-5241
Nanaimo RCMP	(250) 380-6161
Salt Spring RCMP	(250) 537-5555

Take responsibility for your own safety!

Failure to cycle safely could reduce your compensation in the case of a collision.

Avoid collisions by observing 5 basic principles:

1. Maintain your bicycle in good working order
2. Be as visible as possible to others
3. Learn the skills needed to control your bike
4. Cycle in traffic safely and predictably
5. Know and obey the rules of the road

For more information on your rights and duties as a cyclist, pick up a copy of Bike Sense at the GVCC Sustainable Transportation Centre, open 1pm-5pm, Tuesday to Friday, #12 Centennial Square, Victoria. (Tel: 250-480-5155) Bike Sense is also available at your local bike shop, the public library and online at www.bikesense.bc.ca.



This publication is designed to provide brief general information on the subject matter covered. It may contain errors for a number of reasons, including recent changes in the law. Individuals with specific legal problems are advised to seek legal advice from qualified lawyers.