

# HAVE YOU BEEN INJURED OR HAS YOUR PROPERTY BEEN DAMAGED BY AN UNINSURED OR HIT AND RUN DRIVER?

If you are the victim of an uninsured or hit and run driver, you may be able to claim compensation from:

**The Motor Insurers' Bureau  
Linford Wood House  
6 - 12 Capital Drive  
Linford Wood  
Milton Keynes  
MK14 6XT**

**Tel: 01908 830001 • Fax: 01908 671681 • Web: [www.mib.org.uk](http://www.mib.org.uk)**

This leaflet does not try to explain all the procedures and conditions for claiming on the Motor Insurers' Bureau (MIB). These are set out in the Agreements between MIB and the Secretary of State for Transport titled "*Compensation of Victims of Uninsured Drivers*" and "*Compensation of Victims of Untraced Drivers*" which are available from Government bookshops, or via MIB's web site. **If you wish to make a claim against the MIB it is important you read the relevant Agreement.**

## FUNCTION OF THE MIB

The MIB, which is funded by honest motorists via their insurance premiums, pays compensation as a "fund of last resort" to the victims of uninsured or hit and run motorists who cannot obtain compensation elsewhere. The procedures for claiming under each Agreement are different.

## MAKING A CLAIM

If you think you have a valid claim for compensation from MIB under either Agreement, you should:

- 1) Read the notes overleaf;
- 2) Obtain the relevant Agreement; and
- 3) Seek expert advice, eg. from a solicitor or the Citizens' Advice Bureau.

## THE UNINSURED DRIVERS' AGREEMENT

Applies to those accidents where you can identify the driver or user of the vehicle that caused the injury or damage and that person is not insured. If the driver does not produce insurance documents, you can check whether he is insured by contacting the **Motor Insurers' Bureau**. Provided you have the registration number of the vehicle and satisfy Data Protection requirements, they will advise you as to the identity of the vehicle's insurers and provide an address and policy number, so you can claim.

If the driver/user is not insured then you can claim compensation by completing MIB's application form which can be obtained from the above address or downloaded from MIB's web site.

If you decide to start legal proceedings against the uninsured motorist you must give MIB notice in writing within the 14 days after those proceedings are issued by the court. The Agreement and the accompanying notes explain how you must do this, and what other information is required.

Whilst you can claim direct on MIB, road accidents can involve complicated legal issues and you should consider getting expert advice from a solicitor, a Law Centre, the legal department of your Trade Union, or a Citizens' Advice Bureau. If you have legal expense insurance, you should contact your insurers for advice. If you have no such insurance, MIB provides **free legal expense cover** for victims. Details are included on the application form.

## THE UNTRACED DRIVERS' AGREEMENT

If you are injured or your property is damaged by a hit and run driver, you cannot sue for compensation because the driver cannot be traced. However, you may still be able to claim compensation from MIB.

You should contact MIB for an application form as soon as possible and in any case **within three years** where there is injury, or **within 9 months** if there is damage to property. (N.B. Damage to property is only covered in instances where the vehicle can be identified, but the driver cannot be). You must also report the accident to the police **within 14 days** where there is injury, or **within 5 days** if there is damage to property, or as soon as reasonably possible, and co-operate with the police investigation. MIB will require proof of the report.

MIB will investigate the application at its own expense and make a decision. If you do not agree with that decision you can appeal to an independent arbitrator. Whilst there is nothing to prevent you claiming direct on MIB, you may wish to be advised by a solicitor. If you decide to instruct a solicitor you will be responsible for paying his costs. However, MIB will pay a contribution to those costs, as set out in the Schedule to the Agreement, if your claim is successful.