

About Accident Responsibility

Learn what your options are if you don't agree with ICBC's responsibility assessment.



What you need to know

Generally, if a vehicle accident happens in British Columbia, the Insurance Corporation of British Columbia (ICBC) will assess responsibility for the accident.

Responsibility for an accident could affect your driving record and increase your insurance premiums. It can also affect the amount of any deductible the registered owner has to pay for vehicle repairs, or the amount they have to pay to repair their vehicle if they don't have insurance coverage.

What if I don't agree with ICBC's assessment of responsibility?

If you don't agree with ICBC's assessment of responsibility for the accident, you may be able to make a claim with the Civil Resolution Tribunal (CRT). The CRT is not part of ICBC. The CRT is an independent and neutral decision-maker.

The CRT may be able to decide responsibility for the accident, with or without a claim for damages.

What are damages?

Damages are monetary compensation for your losses. Being found responsible for an accident can cost you. A damages claim about responsibility for a vehicle accident could be for things like:

- Reimbursement of a deductible you paid to get your vehicle repaired
- Reimbursement of the cost to repair your vehicle
- Reimbursement of increased insurance premiums



If you're not sure if you can claim for damages, or how much, you may want to get legal advice. To be successful in a claim for damages, you must give evidence that you weren't responsible for the accident and what your damages were.

A damages claim about a vehicle accident is usually under the CRT's small claims jurisdiction. The CRT can take damages claims for \$5,000 or less.



Can the CRT decide responsibility without a damages claim?

Starting September 1, 2022, you might be able to make a claim asking the CRT to decide responsibility for the accident, without also asking for damages.

There are strict timelines for making this type of claim. There is also a specific legal test, which says that you must show that ICBC acted unreasonably or improperly in making its responsibility assessment. Just because you don't agree with ICBC's assessment, it doesn't mean that ICBC acted unreasonably or improperly in making it.

When the CRT asks for it, you must give evidence that ICBC acted unreasonably or improperly. You also must give evidence about responsibility for the accident.

How much time do I have to make a CRT claim?

 What the claim is for	 Deadline to make a CRT claim
Responsibility only	90 days from the date of ICBC's detailed responsibility assessment letter (CL722)
Responsibility and damages	Generally, 2 years from the accident date