



building trust. driving confidence.

Dear Julie and Jeff,

Thank you for your June 24, 2021, email regarding ICBC's new Enhanced Care insurance model and the perspective of the Regional Advisory Committee of the Board of Directors of HUB Cycling. As Manager of Stakeholder and Community Relations for ICBC, I appreciate the opportunity to respond to your comments.

We know that the move away from a litigation-based system means our customers need options to ensure that their claim is being handled fairly. That's why, under Enhanced Care, ICBC is required – by law – to advise and assist every British Columbian (policyholders and non-policyholders) with their claim and endeavour to ensure that every person is informed about and receives all the benefits that they are entitled to.

You are correct in pointing out that we have an online process for reporting a claim by a registered owner or lessee of a personal vehicle, or a principal driver of a personal vehicle. Currently, a passenger, pedestrian or cyclist making a claim must call ICBC. We appreciate your suggestion to expand the online process for these individuals and will bring forward your suggestion for future considerations in how we can better serve all British Columbians.

Regarding your questions about benefits: Under Enhanced Care, any British Columbian – including cyclists – injured in a crash with a vehicle anywhere in Canada or the United States has access to care, recovery and wage loss benefits, even if they weren't responsible for the crash.

To your points on income replacement: If a B.C. resident doesn't have a vehicle they insure – for example, they are a cyclist or pedestrian only – they are still covered for income replacement if they are injured in a crash with a vehicle up to 90% of their after-tax income in wage-loss benefits (to a maximum of \$100,000 of pre-tax income).

If they earn more than \$100,000 a year, cyclists and pedestrians are also able to purchase ICBC's new income top-up coverage as a stand-alone product, even if they do not insure a vehicle. You asked if motor vehicle users who purchase the income top-up under their motor vehicle insurance are eligible to use the income top-up in the event that they are involved in a collision while engaging in cycling or walking, and the answer is yes.

We should add that income replacement is only to cover any income loss as a result of injuries sustained in the crash, not to pay for vehicle or bicycle repairs. Nevertheless, as long as the cyclist is not responsible for the crash, they can still sue the responsible driver for damages caused to their bike.

In the case of a cyclist being run off the road by a motor vehicle, you raised concerns about the burden of proof without a lawyer. As we stated earlier, ICBC is required by law to assist every British Columbian with their claim and endeavour to ensure that every person is informed about and receives all the benefits to which they are entitled. There are a number of steps that can be taken if someone wishes to appeal a decision about their claim, including accessing ICBC's Fair Practice Office and the Civil Resolution Tribunal. In addition, a new Fairness Officer has been recently appointed by government and has the authority to review and make recommendations to resolve complaints about the policy and process ICBC used to make a decision in their case.

We are committed to taking the time necessary to build awareness and understanding of Enhanced Care, and to work through the new processes with our various engaged stakeholders. We appreciate HUB's thoughtful comments.

Kind regards,

Susan Danard