



Your **Cycling** Connection

bikehub.ca



June 24, 2021

Insurance Corporation of British Columbia  
151 West Esplanade  
North Vancouver, BC V7M 3H9

**Attn: Tracey MacLennan, Wayne Tang & Stephanie Tam**

Dear Enhanced Care Team:

We write on behalf of the Regional Advisory Committee of the Board of Directors of HUB Cycling. This letter addresses ICBC's newly implemented Enhanced Care insurance system, and several concerns that we bring forward from the perspective of active transportation users. Below we make several requests and recommendations regarding how this system ought to address the needs specific to people cycling and other vulnerable road users.

*Ensuring Access to Benefits*

ICBC should ensure that active transportation users have access to all benefits available under the Enhanced Care system.

The introduction of the Enhanced Care system has the potential to disproportionately interfere with vulnerable road users' access to benefits. Vulnerable road users, like people cycling and walking, already face barriers in pursuing claims with ICBC. For instance, they need to prove the involvement of motor vehicles in collisions before they have any access to injury or loss coverage. This has been difficult, for instance, in the situation where a person cycling is forced off the road by a vehicle and is injured, but there is no collision between the vehicle and the person cycling.

Historically, these individuals may have been able to get assistance with their claims from lawyers working on a contingency basis. However, the reduction in damages awards under the new system will make securing legal representation on a contingency basis more difficult. Vulnerable road users will be more frequently pursuing difficult-to-prove claims without the assistance of lawyers.

In order to alleviate any added difficulty accessing Enhanced Care benefits, HUB Cycling suggests that ICBC take active steps to facilitate the claims process for people cycling and other vulnerable road users. ICBC should ensure that vulnerable road users are provided assistance in pursuing their claims, especially in relation to claims that may be more difficult to prove. This would include collisions indirectly caused by vehicles, such as in the example above.

ICBC should also provide people cycling and other vulnerable road users with clear information regarding how to make a claim and access to an online claim reporting process. Although the Enhanced Care question and answer page confirms that people cycling and walking have access to Enhanced Care benefits<sup>1</sup>, the explanation of how to report a claim on your website is written solely for those involved in a collision while traveling in a vehicle.<sup>2</sup> Moreover, the online claim reporting tool only allows registered owners or lessees of personal vehicles or principle drivers of personal vehicles to submit claims. This means that people cycling and other vulnerable road users need to phone ICBC to report a claim, thereby creating additional obstacles to accessing benefits. To ensure equitable access to coverage under the new system, ICBC can and should develop a user-friendly online claim reporting process for non-vehicle owners/lessees/drivers.

### Income Replacement Insurance

ICBC should ensure that people cycling and other vulnerable road users have access to insurance products that provide coverage for lost income.

Under the new system, people cycling and other vulnerable road users are losing their rights to claim the totality of their lost income in the event of a collision involving a motor vehicle. Although the Enhanced Care system provides for some income loss coverage, individuals earning more than \$100,000 per year cannot claim any lost income over that amount. ICBC's website indicates that individuals can purchase Income Top-Up<sup>3</sup>; however, it is unclear whether people cycling and other vulnerable road users are eligible to purchase this additional coverage without purchasing motor vehicle insurance.

HUB Cycling recommends that vulnerable road users should have the same access to additional coverage as motor vehicle owners, and accordingly, ICBC should:

- (a) offer the same Income Top-Up to those without motor vehicle insurance as a stand-alone product;
- (b) ensure that motor vehicle users who purchase the Income Top-Up under their ordinary motor vehicle insurance are eligible to use the Income Top-Up in the event that they are involved in a collision while engaging in active transport; and
- (c) ensure that vulnerable road users are provided with information about the coverage limits under the standard Enhanced Care system, any available income loss coverage products from ICBC, and other avenues for acquiring income replacement insurance where ICBC does not offer any suitable products.

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<sup>1</sup> <https://enhancedcare.icbc.com/care-and-coverages#cyclist-pedestrian>

<sup>2</sup> <https://www.icbc.com/claims/report-view/Pages/Report-a-claim-online.aspx>

<sup>3</sup> <https://www.icbc.com/insurance/products-coverage/Pages/income-top-up.aspx>

If ICBC is able to implement our suggested improvements, HUB Cycling would be willing to provide expanded outreach and information sharing about the implications of Enhanced Care and the opportunities for people cycling to improve their coverage under the new system.

Thank you for considering the recommendations above. We are hopeful that the new Enhanced Care system will provide fairer and more inclusive coverage to vulnerable road users.

Sincerely,

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### **About HUB Cycling**

HUB Cycling is a charitable not for profit organization that has spent over 20 years removing barriers to cycling in Metro Vancouver, while cultivating the health, environmental, and economic benefits that active transportation can bring. HUB has educated thousands of people, motivated thousands more, and championed improvements that [#UnGapTheMap](#) to create a connected cycling network. HUB Cycling's mission is to get more people cycling more often. HUB Cycling has close to 3,000 members and more than 40,000 direct supporters. HUB Cycling has 10 volunteer committees across Metro Vancouver that encourage cycling for all ages and abilities (AAA) in municipalities across Metro Vancouver. For more information, visit [bikehub.ca](http://bikehub.ca).