



## Claiming Benefits for Pedestrians Injured in Accidents

This Info Sheet provides basic information on Personal Injury Claims and Accident Benefits for injured pedestrians; it is not meant to be a substitute for legal advice. If you are unsure of your rights as an injured pedestrian, seek legal advice.

There are three potential situations in which a pedestrian may be injured:

1. by an at-fault driver of a car or motorcycle,
2. by an at-fault cyclist or
3. by a roadway or pedestrian hazard.

<b>Pedestrians Injured by At-Fault Drivers</b>	<p>As a pedestrian injured by an at-fault driver, <i>you have the same rights as an innocent victim injured in a car accident</i>. This means that you are entitled to make both a Personal Injury Claim and an ICBC Accident Benefits claim for medical care and income loss.</p> <p>This situation includes a hit-and-run accident, even if you are unable to identify the vehicle or driver who injured you. ICBC can be sued in place of the driver.</p> <p>For more information on making a Personal Injury Claim and an ICBC Accident Benefits claim for medical care and income loss, see our <a href="#">Info Sheet 1, Making a Personal Injury Claim – Innocent Victims of Accidents</a>; <a href="#">Info Sheet 2, Claiming ICBC Benefits for Medical Care and Rehabilitation – Any Injured Person</a>; and <a href="#">Info Sheet 3, Claiming ICBC Benefits for Income Loss and Homemaker Expenses</a>.</p>
<b>Pedestrians Injured by At-Fault Cyclists</b>	<p>If you are a pedestrian injured by an at-fault cyclist, you can make a Personal Injury Claim against the cyclist only.</p> <p>Cyclists do not have automobile coverage through ICBC, so you are unable to make an ICBC Accident Benefits claim.</p> <p>Even if you make a Personal Injury Claim against the cyclist, you will likely be limited in the amount you can collect because cyclists are usually not insured. The cyclist would have to pay you out of his or her own pocket.</p> <p>Some cyclists are covered by their home insurance, but that is usually not the case. It's extremely important to get the name and address of anyone who injures you. You cannot sue an unidentified cyclist.</p>
<b>Pedestrians Injured by Roadway or Pedestrian Hazards</b>	<p>If you are a pedestrian injured by a roadway or pedestrian hazard, you may have a Personal Injury Claim against the city or municipality responsible for the hazard.</p> <p>If this is the case, you must seek legal advice immediately as very tight deadlines apply.</p>