



ICBC's Low-Velocity Impact Policy What It Is and How to Defeat It

This Info Sheet provides basic information on ICBC's Low-Velocity Impact (LVI) policy; it is not meant to be a substitute for legal advice. Seek legal advice if ICBC deems your accident claim an LVI.

ICBC's Definition	<p>ICBC defines a Low-Velocity Impact as "superficial damage and/or a lack of physical damage to the bumper assembly, sheet metal or frame/substructure of either vehicle (involved in the accident)".¹</p> <p>According to ICBC, if the damage to your vehicle does not meet its threshold, ICBC says you were not injured in the accident.</p> <p>¹ ICBC Claims Manual, Chapter 11, Section 11.1 BI Reserving and Handling Practice, p. 11 of 15 (2011 updated manual).</p>
ICBC's LVI Policy Not Supported by Law	<p>LVI is an arbitrary policy not supported by law.</p> <p>It is used to improperly restrict your rights by convincing you that you are not entitled to compensation for your injuries.</p> <p>There is no scientific relationship between the amount of damage sustained to a vehicle and the amount of damage sustained to a human body. People are often injured by low speed accidents; imagine a jogger running straight into a concrete wall at 5 to 10 km/hour.</p> <p>Only a doctor can say whether or not you are injured.</p>
What ICBC Will Do	<p>ICBC will attempt to get a statement from you outlining "details of medical conditions or issues that may have been aggravated, and details of (your) lifestyle, career and general health".²</p> <p>This statement will, in all likelihood, support their contention that you were not injured in the accident.</p> <p>For all of the reasons outlined in this Info Sheet, we do not recommend that you go to a meeting with ICBC or make any statement to them until you have spoken with us. We can then advocate on your behalf.</p> <p>² See note 1.</p>
If Your Accident is Deemed to be LVI	<p>If your accident claim is deemed to be a Low-Velocity Impact claim, ICBC will help you fix your vehicle, but your claim for ICBC benefits for medical care and income loss may be denied.</p>

**If You are
the Innocent
Victim**

If you are the innocent victim in the accident, ICBC will try to say you are not entitled to a Personal Injury Claim for compensation. If ICBC thinks you will go to Court, it will likely back down from its LVI defense.

As stated by Justice Macaulay, "The Courts have long debunked as myth the suggestion that low impact can be directly correlated with lack of compensable injury. In *Gordon v. Palmer*, [1993] B.C.J. No. 474 (S.C.), Thackray J., as he then was, made the following comments that are still apposite today:

'I do not subscribe to the view that if there is no motor vehicle damage then there is no injury. This is a philosophy that the Insurance Corporation of British Columbia may follow, but it has no application in court. It is not a legal principle of which I am aware and I have never heard it endorsed as a medical principle.'

³ *Lubick v. Mei* 2008 BCSC 555 at para. 5