



ICBC Coverage and Out-of-Province Drivers

This Info Sheet provides basic information on Accident Benefits arising from a car accident involving an out-of-province driver; it is not meant to be a substitute for legal advice. If you are unsure of what coverage applies in your situation, seek legal advice.

At-Fault, Out-of-Province Driver

If you are involved in an accident where the person at-fault is an out-of-province driver, it can be difficult to determine under whose insurance coverage the innocent victim should claim.

Example: Peter, a B.C. resident, was in an accident in B.C. caused by a driver from Alberta.

The at-fault driver’s insurance policy stated that an out-of-province innocent victim (in this case Peter) had a choice of which coverage to seek. He could

- take the coverage provided by the Alberta insurance policy or
 - get the Alberta insurer to provide the equivalent of B.C.’s coverage.
- Peter should choose B.C. coverage because in this case the B.C. insurance policy provides better benefits.

The difference in coverage between two provincial insurance policies can be significant. In fact, B.C.’s coverage is vastly superior to Alberta’s.

The bottom line is that if you are involved in a car accident caused by an out-of-province driver, you need a lawyer to help you sort out which province’s coverage applies, and to what benefits you are entitled.

Innocent Out-of-Province Driver

If you are the innocent victim in a motor vehicle accident out-of-province, your right to make a Personal Injury Claim may be limited by the law of the province in which the accident occurred.

For example, in Canada now, Quebec and a number of other provinces have “no-fault” vehicle insurance coverage. This means that innocent victims have no right to bring a Personal Injury Claim. Both the at-fault driver and the innocent victim have the same type of claim for ICBC Accident Benefits, which are quite restrictive.

This whole area is fraught with difficulty and there is no doubt you will need a lawyer’s help if you are involved in a motor vehicle accident outside of B.C.