



What to do if you have an accident?

Disclaimer: This is general information and not legal advice and SCC take no responsibility if information is incorrect or inaccurate.

1. Ensure safety & seek medical attention

- **Call for Help:** If anyone is seriously injured, call emergency services (000) immediately.
- **If safe, move to a safe location:** If it's safe to do so, get off the road. Do not move an injured person if they have a neck injury.
- **Ensure the scene is safe:**
If you are able, ensure the scene is safe and that no one else is in immediate danger.
- **Seek Medical Attention:** Even if your injuries seem minor, it's crucial to get a full medical assessment.
- **Head injuries:** If you have had a head injury or show any signs of concussion then **DO NOT** continue riding and seek immediate medical attention. Do not leave someone alone if they have a head injury.

2. Call Police

- **Report the accident:** Call the police (000) if a motor vehicle is involved and you believe may be at fault. Police should come to the scene to breathalyse the driver and seize any dash cam footage.
- **Obtain a police event number:** Ensure you obtain a police event number for future reference - this is vital if you need to make an insurance claim. Police can provide you with the number at the scene.
- If you go to a police station and they say the accident is not severe enough say; "An injury has occurred, irrespective of the severity I will need a police



event number for the purpose of lodging a personal injury claim and the number is required under legislation.”

- If the Police still don't give you the incident number, take the Police Officer's name and number, the Police Station details and the time reported, as this will be needed by the insurance company to inform them that you tried to lodge an incident, but the police were too busy.
- **Time limit:** Report accident within 28 days if you need to make a CTP claim

3. Gather information

- **Exchange information:** If possible, exchange information with the driver involved, including names, addresses, vehicle registration plate numbers, vehicle details, drivers license and insurance details.
- **Take photos & videos:** If possible, take as many photos and videos as possible of the accident scene, the car that hit you, license plate, drivers license, your bike, damage to your bike, surrounding area, your injuries.
- **Video footage:** Ask if anyone has camera footage from their bike and get their details. Note down any security or CCTV cameras and ask someone to get footage.
- **Note down witness details:**
Obtain the names and contact details of any witnesses.
- **Keep receipts:** Keep all receipts for medical treatment, medicine, and scans/X-rays needed during this time.
- **Assess bike damage:** Assess the damage to the bike and consider getting a professional quote for repairs.



4. Make a claim

- **Contact insurer:** If another motor vehicle is involved contact the car driver's CTP insurer (the insurer responsible for covering injuries and damage caused by a motor vehicle in NSW).
- **Don't know CTP insurer?:** Go to NSW Rego Check and put in Registration details and it will tell you CTP insurer
<https://www.service.nsw.gov.au/transaction/check-a-vehicle-registration>
- **Don't Know Insurer?** Contact State Insurance Regulatory Authority (SIRA) directly via their website: <https://www.sira.nsw.gov.au/motor>
- **CTP doesn't cover your bicycle:** You can claim against the driver if they have comprehensive insurance. If they don't, start with a call to the driver and if that doesn't work issue a [letter of demand](#) and possibly go to court to reclaim costs.
- **Lodge claim:** Lodge a claim for the damage to your bike and any injuries sustained. If a motor vehicle was involved, you can file a claim online through the SIRA portal. You will need to provide details about the accident, your injuries, and any medical expenses.
- **Time limit:** Lodge your claim as soon as possible as there is a time limit, 28 days for reporting to Police and lodging a claim.
- **Check AusCycling insurance:** Part of your AusCycling membership includes Personal Accident insurance: (85% of non-Medicare medical costs, up to a maximum of \$7,500 at time of writing and Third party coverage for any damage to another person's property.) It **DOES NOT** cover bike damage. Please use the AusCycling website for the latest information
<https://auscycling.org.au/become-a-member/insurance-members>
- **Seek Legal Advice:** While it's possible to file a claim independently, it may benefit you to consult with a lawyer specialising in personal injury.

5. Tips from members



Home & contents insurance: If you have a valuable decent bike it's worth getting it insured under your home & contents insurance or another type that offers a **complete replacement value** payout. This is because the drivers (3rd party insurer) can only offer a **depreciated value** for your bike which can end up being less than 50% of the value of a new one. It's also a lot easier dealing with your own insurer compared to dealing with the driver's insurer.

Damage claims: Damage claims are different and it's up to the driver to make their claim so that you are covered for damages. They need to add you as a name on the claim so you have authority to deal with the insurance company directly. This whole process can be difficult as you are relying on the competence and sense of urgency of the driver, which means you can wait a while.

Be persistent: Dealing with the driver's insurance company for damages can be an absolute grind, they may never contact you (even if they've made a decision) so it's up to you to keep chasing. One of our members called the driver's insurance every day for about two weeks just to get a result. The insurer may only give you a depreciated value of your equipment based on how long you have owned it.

Get a camera: Get a front and rear bike camera e.g [Cycliq](#) Fly6 and Fly 12 to record your rides. They can provide invaluable evidence if the unfortunate happens.

Upload footage: If you do get footage of close calls, aggressive behaviour or incidents it can help to upload to <https://upride.cc/>. The website combines video footage with maps and is the only detailed source of information that highlights safety blackspots to help transport planners design safer roads. It also helps raise awareness of cycling safety and support education for road users.

Police report: It pays to get a police report sorted as soon as possible.

Resources

Bicycle Network

https://www.youtube.com/watch?v=NbvMDv_JNjc

<https://advantagelegal.com.au/>