

## Motor Vehicle Accident – Frequently asked Questions

Q 1 – Who pays the medical expenses when a student is injured in a motor vehicle accident while:

- a passenger on a board-owned bus;
- or a passenger on a contracted bus (not owned by the board);
- or a passenger in a privately owned vehicle travelling to or from a school-related activity (i.e. member of wrestling team going to a match);
- or while walking or cycling to or from school?

A 1 – In accordance with Ontario regulations, any expenses not covered by OHIP will be covered, in the following order, by:

1. the automobile insurer that insures the injured student or the injured student's parents - the parents need to report the accident to their automobile insurer;
2. if no insurance is available under #1, the insurer of the vehicle in which the student was an occupant;
3. if no insurance is available under #1 or #2, the insurer of any other vehicle that was involved in the accident.

Q 2 – A vehicle, owned by the board and not licensed for use on the road (i.e. tractor) caused damage to a third party vehicle (vehicle not owned by the board). Who pays for the damage to the third party vehicle?

A 2 – The owner of the third party vehicle should report the damage to the insurer that insures the third party vehicle and if that insurer feels that the board is responsible they will attempt to subrogate (recover the cost of the repairs from the board/OSBIE). The OSBIE Property Policy responds to the damage to the board's vehicle, subject to the board's property deductible.

Q 3 – A board-owned vehicle collides with a third party vehicle (vehicle not owned by the board). Who pays for the repairs?

A 3 – In accordance with Ontario regulations, each driver deals with their own insurance company, regardless of who is at fault for the accident.

Q 4 – Third party vehicles owned by teachers, parents, neighbours, or visitors, are occasionally damaged by various student activities such as rocks thrown by students during recess, a baseball that leaves school property during a game, a science rocket that goes astray, etc. Who pays for the damage?

A 4 – The owner of the third party vehicle should report the damage to the insurer that insures the vehicle in question and if that insurer feels that the board is responsible they will attempt to subrogate (recover the cost of the repairs from the board/OSBIE). In that case, OSBIE will investigate the circumstances surrounding the incident and will determine whether or not there is negligence and if so, OSBIE will pay the claim. This situation is handled on a case-by-case basis.