

BIKE INJURIES & CTP CLAIMS FACT SHEET

If you are injured in an accident, and a car is involved, you may be able to make a CTP claim.

1 What should I do at the scene?

Firstly, seek medical attention. Call emergency services or ask someone else to if you can't. Your safety is always a priority.

Next, and if you are able to do so, identify anyone else involved (including witnesses). Exchange details with them, including names, registration details, phone contact details and any other relevant information. Maurice Blackburn and Triathlon Queensland have Accident Crash Cards that you can use to assist in obtaining the correct details.

You should also take photographs of the accident scene if you are able to.

2 How do I lodge a CTP claim?

There are a number of strict and critical time limits that apply to making a CTP claim. In some circumstances, failure to comply with these time limits can result in your not being able to make a claim.

Step one: Report the accident

Report the accident to police within 28 days of it happening, if the police did not attend the accident scene.

Step two: Submit a NOAC

You must submit a Notice of Accident Claim (NOAC) Form to the insurer within 28 days of the incident. If this period has lapsed, it will not prevent you from making a claim.

Step three: Seek appropriate medical advice

Complete a Personal Injury Claim Form and arrange for your treating doctor to complete the accompanying Medical Certificate. You have six months from the date of the accident to lodge both forms with the insurer of the vehicle at fault.

If you do not submit these forms, you may not be able to make a claim. In limited circumstances, an insurer may approve an extension of time, but this is only if a full and satisfactory explanation has been provided.

You should submit a Personal Injury Claim Form regardless of whether a NOAC has already been provided to the insurer.

Make sure that through the process, you keep all copies of documents that you send to an insurer.

3 What benefits do I get from making a CTP claim?

If you have been injured and you can show that the owner or driver of the vehicle (other than you) was partially or completely at fault, you may be entitled to compensation to help you get back on your bike sooner.

This may include compensation for past and future income, past and future medical expenses, pain and suffering and attendant care.

4 How can Maurice Blackburn help me?

Our preferred legal partner is Maurice Blackburn Lawyers.

Maurice Blackburn has specialist lawyers who can help you manage the claim process.

As a Triathlon Queensland member, you are entitled to:

- Free initial advice for you and your immediate family members
- A free consultation with a specialist road injury lawyer
- Initial advice for property damage claims and how to navigate the QCAT process

Maurice Blackburn usually acts on a no win, no fee basis. For legal advice at any stage of your claim, call us for a referral to Maurice Blackburn.

Did you know?

- You can claim for your injuries even if a driver doesn't touch you or your bike, but makes you crash by coming too close or cutting you off.
- You can claim for injuries sustained by an open or opening door of a vehicle.
- You can claim for injuries even if the accident is your fault. There are strict conditions so seek legal advice early.
- You may be able to claim loss of earnings even if you were not employed at the time of the accident.
- Even if no other vehicle is involved in your accident, you may be able to claim against a council or road authority where your injuries are caused by defective road design, substandard road repair or poor signage.