

NEWS

Changes to Alberta's Auto Insurance Laws

November 5, 2020

The Alberta Government announced two major items that impact every Albertan's civil rights if they drive a vehicle, or are ever in a car accident: Bill 41 and a report on future recommendations to change Alberta to a no-fault insurance system.

On October 30, 2020, the government announced Bill 41 which makes changes to the laws regarding the amount that a person can claim for damages for injuries arising from a car accident that is not their fault. The Bill also comes with changes to regulations that govern the treatment an Albertan can have paid for, plus regulations about disability benefits, amongst other things.

Effective as of November 1, 2020, the law broadens the definition of what is deemed a 'minor injury' with regards to motor vehicle accidents. If a person has a 'Minor Injury', then the most they can claim for 'pain and suffering' is \$5,296.00, in addition to other categories of damage that a person might still be entitled to (such as loss of income, loss of housekeeping capacity and cost of future care). If the person's injuries are not 'Minor' (which may include chronic pain, concussions, TMJ, PTSD, disc injuries, broken bones, etc.) then the injured person may be entitled to claim damages for much more than this 'minor injury cap'.

What does this all mean? We can explain it all to you, and help you in determining if your injuries are outside of this 'minor injury cap', and help you navigate the complex insurance system. The lawyers in our [Personal Injury group](#) are extremely knowledgeable in the law, and can advise you, so that you can focus on healing.

Call us for a free consultation at 403.278.9411.

A committee commissioned by the Government also released their report on October 30, 2020 and their report recommends that Alberta change to a 'no-fault' regime. Simply put, 'No fault' means that a person would only be able to claim from *their own* insurance company for property damage, and treatment, but the person would *not* be allowed to pursue anything for 'pain and suffering'. No-fault removes the right to sue. The insurance company would be the ones to decide if a person receives treatment or not, akin to a WCB style system.

The Government is going to be holding public consultations about whether Alberta should move to a no-fault regime. We urge people to speak to their MLA's and when the Government has public consultations, that people speak out against a no-fault system.

There is also an organization dedicated to defending Albertan's rights, called [FAIR Alberta](#). It is a coalition of

concerned consumers, medical professionals, injured Albertans, and members of the legal community who are committed to protecting the rights of individuals that have been injured in motor vehicle accidents.

Please visit [FAIR Alberta](#) for much more information and resources, including steps you can take to stand up for your rights, and say no to no-fault insurance.