

EXAMPLE QUESTIONS TO THE OTHER DRIVER (OR THEIR INSURER)

QUESTIONS PURSUANT TO SECTION 47 OF THE MOTOR ACCIDENT INSURANCE ACT 1994 (QLD)

To: [insured driver's name]

DEFINITIONS:

For the purposes of these questions the following expressions have the following meanings (unless otherwise indicated):

Your vehicle means the motor vehicle you were travelling in at the time of the collision, namely a [make] [model] motor vehicle with registered no. [XXX000].

The other vehicle means the [make] [model] motor vehicle with registered no. [XXX000]. The roadway means [street name],

[suburb] in the State of Queensland.

The collision means the collision between your vehicle and the other vehicle which occurred on [date] at approximately [time or time frame] on the roadway.

QUESTIONS:

1. Were you the driver of your vehicle at the time of the collision? If not, who was the driver?
2. Did you see the other vehicle at any point in time prior to the collision? If so, when you first saw the other vehicle:
 - What distance separated your vehicle and the other vehicle at that time?
 - Where was the other vehicle positioned at that time on the roadway (or otherwise) by reference to lanes, lane markings, the centre-line (or imaginary centre-line) etc?
 - Did the other vehicle have brake lights or indicators engaged at that time? If so, please provide details.
3. If you did not see the other vehicle at any point in time prior to the collision then was there any object(s) restricting your view or any other explanation why you could not see the other vehicle? If so, please provide details
4. What speed was the other vehicle travelling at:
 - When you first saw the other vehicle?
 - 25 metres from the point of collision?
 - 10 metres from the point of collision?
 - At the moment of collision?
1. What speed was your vehicle travelling at:
 - When you first saw the other vehicle?
 - 25 metres from the point of collision?
 - 10 metres from the point of collision?
 - At the moment of collision?
2. Describe the course and direction taken by the other vehicle between the time you first saw it to the point of the collision (including a reference to lanes, lane markings, the centre-line (or imaginary centre-line), etc.)?
3. Describe the course and direction taken by your vehicle between the time you first saw the other vehicle to the point of the collision (including a reference to lanes, lane markings, the centre-line (or imaginary centre-line), etc.)?
4. Describe the position of your vehicle on the roadway at the moment of the collision.

5. Describe the position of the other vehicle on the roadway at the moment of the collision.
6. Did you attempt to take any evasive action prior to the collision to avoid the collision? If so:
 - What distance separated your vehicle and the other vehicle when you first attempted any such manoeuvres?
 - What speed was your vehicle travelling at that time?
 - Describe the evasive action you took.
7. Did you engage the horn (if one was fitted) of your vehicle or otherwise attempt to warn the driver of the other vehicle of the presence of your vehicle on the roadway at any point prior to the collision? If so, what distance separated your vehicle and the other vehicle at that point? And what warning did you give?
8. What part of the your vehicle struck the other vehicle in the collision?
9. What part of the other vehicle was struck by your vehicle in the collision?
10. Describe in detail the damage occasioned to your vehicle as a result of the collision. If you had the damage repaired (or a quote obtained) then please state the cost (or estimated cost) of the repairs and provide a copy of the relevant repair quote/invoice.
11. Describe in detail the damage occasioned to the other vehicle as a result of the collision.
12. Did you take any photographs of the damage occasioned to your vehicle? If so, please provide a colour copy.
13. Did you take any photographs of the damage occasioned to the other vehicle? If so, please provide a colour copy.
14. Had you consumed any drugs or alcohol within the 24 hours immediately prior to the collision? If so, please state:
 - The type of drugs/alcohol consumed?
 - The quantity consumed?
 - The time when such drugs/alcohol were consumed?
15. Are you required to wear glasses, prescription glasses or corrective lenses when driving?
16. In your journey leading up to the collision, were you wearing glasses, prescription glasses or corrective lenses?
17. At the time of the collision, were you wearing glasses, prescription glasses or corrective lenses?
18. What is your date of birth?
19. Who do you believe caused the accident and why? If you are of the view more than one person caused the accident then please provide details of all parties and vehicles (make, model, registration number) involved and state in what way you say each such person was responsible.

The claimant requires the information provided in answer to these questions to be verified by statutory declaration pursuant to s 47(3) of the Motor Accident Insurance Act 1994 (OLD)