

Khanchna (LKK Auto)

From: Khanchna (LKK Auto)
Sent: 19 November 2019 12:10 PM
To: Paul
Cc: Admin A
Subject: RE: ACCIDENT BETWEEN SKZ2745D & SHD5876R ON 15/09/2019 ALONG/AT CHANGI VILLAGE ROAD

Dear Mr. Paul,

We refer to the above matter and your e-mail below.

We have reviewed the claim and we will propose to apportion some liability against the third party taxi driver and let the Insurance company handle and settle the third party claim amicably at best terms on a without prejudice basis.

Thank you.

Best Regards,

Khanchna | Case Handler

LKK Auto Consultants Pte Ltd

DID: **6841 2360** | email: Khanchna@lkkauto.com | Fax: 6741-4108

Blk 51, Paya Ubi Industrial Park, Ubi Avenue 1, #02-25 | S(408933)

From: Paul <ybkpaul@gmail.com>

Sent: Tuesday, 19 November 2019 8:15 AM

To: Khanchna (LKK Auto) <khanchna@lkkauto.com>

Subject: Re: ACCIDENT BETWEEN SKZ2745D & SHD5876R ON 15/09/2019 ALONG/AT CHANGI VILLAGE ROAD

Dear Kanchna,

This is the final report.

Privacy laws are observed in the submission of the report below.

Best regards

On Tue, 19 Nov 2019, 00:21 Paul, <ybkpaul@gmail.com> wrote:

Dear Khanchna,

Thank you for your email. Based on the evidence I have available (My rear video footage of the accident), and my understanding of the Singapore Highway code, I would like to dispute the initial assessment of the accident liability.

1. While it is the reversing driver's responsibility to keep a look out for approaching vehicles, do note **that I only reversed after checking my rear view and side mirrors**. Through my rear view and side mirrors, I observed that the oncoming vehicle was 4 - 5 vehicle lengths away. This was a reasonable safety distance for me to attempt parking my car via reversing into the parking lot. As per the Singapore highway code, I have met my responsibility while reversing. Furthermore, I noticed that the oncoming vehicle had already begun to filter from the leftmost lane, to the right lane, thereby allowing me adequate opportunity to begin to park my car.

Reversing

84. Before you reverse make sure that there are no children or other pedestrians or obstructions in the blind area behind you.

85. Do not reverse from a side road onto a main road.

86. If your view to the rear is restricted, get help when reversing.

2. Significantly, do note that my **hazard light had been switched on, well before stopping my car**, indicating an expressed intention to stop and reverse into the parking lot. While turning on my hazard light does not negate my responsibility to check my rear before reversing, it places responsibility on the oncoming vehicle (SHD5876R) to either give way by either stopping his car, or change lanes to overtake my vehicle. **The onus is also on the oncoming vehicle to check the traffic conditions in front of him**, before proceeding forward. In fact, from my footage, you would have noticed that the first oncoming vehicle had filtered to the right lane and passed my car safely with a safety distance. I would also like to point out that the road in which the accident happened is a very broad road and the weather condition is clear.

3. Having taken notice of my intention to reverse into available parking space and the fact that the first oncoming car had filtered to the right lane safely, the driver of vehicle SHD5876R intended to overtake my vehicle by filtering from the leftmost lane, to the inner right lane. However, **he failed to maintain proper lane discipline, instead choosing to straddle 2 lanes for 4 to 5 seconds** in the lead up to the accident. I have appended an image for your perusal. The accident would have been prevented, had driver of vehicle SHD5876R maintained proper lane discipline and safety distance whilst changing lanes just like the first oncoming vehicle. It is my opinion that the driver of SHD5876R who looks to be a man of about 70 years of age may have mis-judged the safety distance in filtering to the right lane resulting in the collision.



Counter Factual

4. Based on the initial assessment of the accident, I note that it is in your opinion that the reversing vehicle should be faulted. However, based on existing footage, I would like you to consider the counterfactual - had my car stayed stationary and waited for the 2nd oncoming vehicle to pass; it would STILL BE VERY LIKELY that a collision would still have happened, albeit between the rear right portion of my vehicle, and mid left section of his vehicle. This is because I had barely reversed when the driver of vehicle (SHD5876R) collided into my vehicle, suggesting the oncoming vehicle had failed to (a) maintain lane discipline by straddling 2 lanes (b) proper safety distance when attempting to changes lanes.

Circumstantial evidence

5. Lastly, I would like to put on record that subsequent to the collision, the driver showed further disregard for traffic safety. When my son was attempting to take photos of the damaged front left section of his vehicle, the driver immediately got into his car and drove off - almost hitting my son who was standing half a metre in front of his cab. My son had filed a formal complaint with Transcab, but Transcab failed to take action, and has yet to produce any follow ups on the report. Should such a reckless driver be able to continue without penalty, and should you adjudicate liability against my favour, I am fearful of the implications on our road safety - and the message this would send to such a reckless driver.

With the above mentioned facts, I hope you will reconsider your initial assessment of the incident.

Thank you.

Sincerely,
Paul Yap

----- Forwarded message -----

From: **Khanchna (LKK Auto)** <khanchna@lkkauto.com>

Date: Mon, 18 Nov 2019, 08:57

Subject: RE: ACCIDENT BETWEEN SKZ2745D & SHD5876R ON 15/09/2019 ALONG/AT CHANGI VILLAGE ROAD

To: Paul <ybkpaul@gmail.com>

Cc: Admin A <admin-a@lkkauto.com>

Dear Mr. Paul,

We refer to the above matter and your e-mail below.

Please be informed that we have been provided with your accident statement, accident videos and also all the relevant documents from your insurance company AIG Insurance.

Based on the accident report and accident scenario, we noted that the vehicle driver was reversing to park and the driver that is reversing bears the burden to keep a proper lookout and reverse only when it is safe to do so.

In the interim, kindly let us have a copy of the police investigation result to enable us to review the claim and to inform AIG accordingly.

Thank you.

Best Regards,

Khanchna | Case Handler

LKK Auto Consultants Pte Ltd

DID: **6841 2360** | email: Khanchna@lkkauto.com | Fax: 6741-4108

Blk 51, Paya Ubi Industrial Park, Ubi Avenue 1, #02-25 | S(408933)

From: Paul <ybkpaul@gmail.com>

Sent: Friday, 15 November 2019 8:22 PM

To: Khanchna (LKK Auto) <khanchna@lkkauto.com>

Cc: Admin A <admin-a@lkkauto.com>

Subject: Re: ACCIDENT BETWEEN SKZ2745D & SHD5876R ON 15/09/2019 ALONG/AT CHANGI VILLAGE ROAD

Hello,

Yes I would like to understand why you are of the view that it is not in my favour.

I will call you next Monday.

Do you have the police report made and the video footage?

Best wishes

On Fri, 15 Nov 2019, 17:07 Khanchna (LKK Auto), <khanchna@lkkauto.com> wrote:

OUR REF: CC3/AIG19016886/Kka3

YAP BOON KIAT

[POLICY HOLDER]

Dear Sir/Madam,

ACCIDENT BETWEEN SKZ2745D & SHD5876R ON 15/09/2019 ALONG/AT CHANGI VILLAGE ROAD

We refer to the above subject matter. We write to inform you that we are the loss adjuster appointed by your motor insurer, AIG Asia Pacific Insurance Pte Ltd to deal with the third party claim against your policy.

We have received a claim against your motor insurance policy.

Based on the accident report and accident scenario, we are of the view that liability is not in your favour. We will therefore proceed to negotiate for an amicable settlement with the Third Party.

Should you however wish to further discuss on the matter prior to our negotiations and settlement, please contact us within 10 days from the date of this letter.

Please note that your No-Claim Discount (NCD) (if any) will be affected and reduced by 30% (20% for commercial vehicles) upon next renewal due to this Third Party claim. However, if your policy has a NCD protector feature, it will be deemed utilized for this claim and your NCD will be protected.

Please call us if you have further queries.

Best Regards,

Khanchna | Case Handler

LKK Auto Consultants Pte Ltd

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