

AB–S.E.F. No. 39(A) AT-FAULT ACCIDENT WAIVER ENDORSEMENT

In consideration of the premium charged, as set out in the Policy or in the Certificate of Automobile Insurance, the Policy premium on all renewals of the Policy, if offered and accepted, will not increase because of the first at-fault accident involving the automobile or substitute automobile to which this endorsement applies.

Provided that, in relation to the accident:

- a. The automobile driver has not been convicted of an offence under the *Criminal Code* (Canada);
- b. The automobile driver has not been convicted, sanctioned or suspended under the *Traffic Safety Act* (TSA) or the *Use of Highway and Rules of the Road Regulation* (ROR), or a conviction, sanction or suspension that is substantially similar under an enactment of Canada, other than the *Criminal Code* (Canada), or of another province or territory of Canada:
 - TSA section 69(1), failing to remain at scene of accident;
 - TSA section 88.1, IRS fail (alcohol/drug) suspension;
 - TSA section 94(2), driving while unauthorized;
 - TSA sections 107(2) and 108(1)(h), speeding in a school zone or playground zone;
 - TSA section 115(2)(b) careless driving;
 - TSA section 115(2)(c), racing;
 - TSA section 115(2)(d), driving on a bet or wager;
 - TSA sections 115(2)(p.1) and 115(2)(p.2), exceeding speed limit by more than 50 kph in a construction zone;
 - TSA sections 115.1, 115.2, 115.3 and 115.4, distracted driving;
 - ROR section 8, improper passing in school zone or playground zone; and
 - ROR section 72, failing to stop/yield for a school bus.
- c. There has not been a violation of Statutory Condition (2) – Prohibited Use by Insured as set out in section 556 of the *Insurance Act* or the Policy.

If a statute or regulation referenced in this endorsement is repealed in whole or in part and other provisions are substituted for it, the reference in this endorsement shall, with respect to a subsequent matter be construed to be a reference to the substituted provision relating to the same subject-matter as the repealed statute or regulation.

If more than one automobile is insured under the Policy, this endorsement shall apply only to the automobile(s) described under item(s) number of the schedule of automobiles attached to and forming part of Policy or as listed in the Certificate of Automobile Insurance.

The at-fault accident waiver provided by this endorsement is not binding on any other insurer that provides automobile insurance to the owner of the designated automobile or the driver who was determined to be at fault for the accident.

Except as otherwise provided in this endorsement, all limits, terms, conditions, provisions, definitions, and exclusions of the Policy shall have full force and effect.