

Global Claims Management | *Professionals on your Team™*



McLARENS
CANADA

Railway Services Division

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Railway Services Division



Not unlike any other specialty line of insurance coverage available today, the rail business offers its' own unique set of exposures and challenges.

Rail claims can occur anywhere there is an active rail line. As we know, some rail lines are in desolate areas creating geographic challenges while other lines are in densely populated regions, which can prove to be most interesting when the loss involves the seepage of hazardous chemicals.

The railway language is an entity all to itself and the rail adjuster must be comfortable with the terms of the trade in order to communicate his concerns and understand the position of the rail employees.

Provincial legislation governing rail liability must also be recognized and may vary from province to province. For example a recent case involved the Forest and Prairie Protection Act of 1980 in Alberta, which states the following; "A railway company that fails to extinguish any fire that originates within 100 meters of the nearest railway track on its right of way shall on demand reimburse the authority that suppressed the fire for all costs of and incidentals to suppressing the fire." One must be aware of the extent of liability imposed upon the railway by a government body and adhere to these regulations as they reflect on the rail claim.



If rail lines are not inspected and maintained on a regular basis wear and tear will ensue as can be expected. A minor twist in a rail may develop into a more severe bend over time which can cause major derailments involving numerous rail cars.

Railway claims can vary in nature from minor physical damage to major bodily injury and given the necessity to have road and rail cross, collisions invariably occur.

Depending upon the nature of these claims one will require a thorough understanding of the Maintenance of Railway Operations Act, Railway Safety Act and the Railway Relocation and Crossing Act. Unfortunately many of these accidents are caused by automobile driver error and can result in fatal injuries.

Railway claims continually challenge the experience of any seasoned rail adjuster; however will offer the insight into a mode of transport, which is generally unknown outside of rail associations and their communities.

Almost every new rail claim offers a new set of unique circumstances, which will only benefit the foundations of our niche **Rail Services Department here at McLarens Canada.**

Bryan Coleshill manages our Railway Services Department. He has represented the insurers of many of the Railway Companies in Canada and can be reached at 1 (800) 668-6100 or e-mail bryan.coleshill@mclarens.ca

Our Mission Statement

McLarens Canada is seen as the largest high quality and professional claims management firm in Canada, known for its technical expertise and integrity. McLarens Canada will maintain the strongest revenue growth rate of any adjusting service firm in Canada by focusing on geographic growth, new products and high quality. Its reputation for retaining long term, dedicated professional team members is something its clients have grown to rely upon.

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