

## FLT Insurance

### A FLT injures or damages person or property

#### What type of insurance should I carry?

The Road Traffic Act (RTA) applicable to England and Wales operates in respect of “any highway and any other road to which the public has access and includes bridges over which a road passes” (RTA 1988 section 192 (1)).

By this definition there is potential exposure in the case of a private yard to which the public are not physically restricted from access.

The Fork Lift Truck Association (article dated 17/05/11) state “Any fork lift truck that is driven on a public road must be registered, taxed and insured – even if only unloading or crossing between sites. What’s more, these rules apply anywhere the public could reasonably have access, such as a car park or forecourt. In addition the operator must hold a valid driving licence”.

The public will also include delivery drivers, suppliers and even the local postman who will walk through your yard or car park.

As such if you operate a fork lift truck within the boundaries of the above you must have at the very least third party motor insurance.

Failure to do so could not only result in an insurance claim being rejected (see under) but also leave you liable to prosecution under the motor vehicles (Compulsory Insurance) regulations 2000.

As a rule public liability policies will state that you are not covered for injury or damage to person or property from “any mechanically propelled vehicle or plant in respect of which insurance or security is necessary to meet the requirements of road traffic legislation”.

To take this a stage further if a serious accident occurs and a claim is rejected by your public liability insurers then the company and directors could be personally liable. If it is your responsibility to arrange the company insurances your fellow directors and or shareholders could counter sue you.

#### How much will it cost to insure my FLT?

Typically you will only need to insure your fork lift truck for third party only. Any damage to the fork lift truck will be insured under your normal business insurance policy provided of course it is included in your machinery and plant sum insured.

If you have a motor fleet policy then you should be able to get third party only cover for your fork lift trucks at less than £100 each. If you do not have a motor fleet policy then it will cost slightly more.

Any views or opinions expressed in this briefing are for guidance only and are not intended as a substitute for appropriate professional advice. We have taken all reasonable steps to ensure that the information contained herein is accurate at the time of writing but it should not be regarded as a complete or authoritative statement of law.

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