



BOARD OF COUNTY ROAD COMMISSIONERS
BOARD OF COUNTY PARK TRUSTEES
BOARD OF PUBLIC WORKS

COMMISSIONERS: William D. Rhodes, John T. Rosevelt, Jean Stein
Lawrence B. Hummel, P.E., Engineer Manager
Gregory M. Pardike, Secretary

HOW TO FILE A DAMAGE CLAIM

Location of Incident

The incident must have occurred on a Van Buren County Primary or Local road. Location must be specific to street/road name, direction of travel, lane of travel, distance from and name of nearest cross road. If you are not certain, please contact the Road Commission Administrative Office to verify road jurisdiction.

Note: Please be advised that under governmental immunity laws, MCL 691.1401(e) and (f), MCL 691.1402 and MCL 691.1403, in order to prove a highway defect claim you must show that there was failure to repair and maintain the physical structure of the road bed. You must also show that the highway authority knew of the condition and had an opportunity to repair, or the condition existed for more than 30 days. The state will only consider damages not covered by your insurance company. Claims must be submitted to your insurance company prior to filing a claim with the Van Buren County Road Commission.

Filing a Claim

1. Contact the Van Buren County Road Commission Administrative Office (269-674-8011) and staff will help confirm the incident occurred on a County Primary or Local road and which damage claim form will apply.
2. One of the following forms will apply and each form can be downloaded.
3. Please print and completely fill out the appropriate form. Incomplete forms will be returned. All forms must be signed before consideration. Be sure to keep a hard copy for your records.
4. Attach documentation to support your loss, such as copies of vehicle repair estimates or copies of actual bills paid for out-of-pocket repairs.
5. Return the completed form and your documentation to the Van Buren County Road Commission, 325 West James Street, Lawrence, MI 49064.

Form No. 07-001, and claims under \$1,000

Upon receipt of your damage claim under \$1,000, this office will investigate the incident to determine if the above conditions were met. We will make every effort to respond to your claim within 90 days. Please be advised that the majority of claims are denied under governmental immunity laws.

If your alleged damage claim exceeds \$1,000, your claim must be filed with the District Court or Circuit Court of Van Buren County, and the Van Buren County Road Commission will respond to your claim through its attorneys.

Form No. 07-002

Upon receipt of your damage claim this office will complete the VBCRC section of the form, review the claim, and, if applicable, will forward the claim to the Construction Work Zone Contractor for processing. The claimant will be notified of the final disposition of the damage claim by either the Van Buren County Road Commission, the Construction Work Zone Contractor, or their insurance carrier. Please be aware this process may take 60 days for claims under \$1,500 and 120 days for claims over \$1,500.