

Bus, Truck, & Taxicab Accidents

Common carriers include buses, trucks, and taxicabs.¹ Common carriers serve upon reasonable demand by all who seek their services; are held to a high standard of care for the persons and properties entrusted to them; and are limited to incidental damages for breach of duty.²

Liability is a big issue for buses, trucks, and taxicabs when collisions occur. Since bus companies, truck companies, and taxicab companies are aware of this, companies quickly respond when automobile accidents occur. In contrast, an individual or individuals involved in an automobile accident, especially one injured, will not take immediate action to respond to such issues as liability. The cause of accidents range from reckless driving to drunk driving, rollover accidents to tire blowouts or inadequate maintenance of automobiles, and pedestrians being hit or run over by automobiles.

Many states require by law that common carriers be inspected annually to protect people from hazards of operating poorly maintained vehicles.³ Carriers of passengers are liable for injuries suffered by passengers as a result of the carrier's negligence, but are not an insurer of its passengers' safety.⁴ This means that a common carrier is required to act with the utmost care, diligence, and skill to protect its passengers.⁵

In 1995, the Iowa Supreme Court considered whether a school bus owed additional duties to a child injured when he was struck by a car after safely descending the bus.⁶ The court declined to extend the duty to ensure extra safety of children descending the school bus, stating that the bus company had no duty beyond that owed by a common carrier to protect children from dangers that may reasonably and naturally be anticipated.⁷ In other words, once a passenger safely exits the vehicle, the passenger is better able to guard against any danger of moving vehicles rather than the driver of the vehicle the passenger exited.⁸

¹ "Common Carriers" THE FREE DICTIONARY BY FARLEX at <http://legal-dictionary.thefreedictionary.com/Carriers>.

² Eli M. Noam, *Beyond Liberalization II: The Impending Doom of Common Carriage*, 18 *Telecomm. Pol'y* 435. Sec. II (1994); http://www.cybertelecom.org/notes/common_carrier.htm.

³ "Common Carriers" THE FREE DICTIONARY BY FARLEX at <http://legal-dictionary.thefreedictionary.com/Carriers>.

⁴ *Id.*

⁵ *Id.*

⁶ *Burton ex rel. Hawkeye Bank of Des Moines v. Des Moines Metropolitan Transit*, 530 N.W.2d 696 (1995).

⁷ "Common Carriers" THE FREE DICTIONARY BY FARLEX at <http://legal-dictionary.thefreedictionary.com/Carriers>.

⁸ *Id.*

Furthermore, unless a common carrier is negligent, the driver is not responsible to passengers for injuries due to natural causes or causes beyond the driver's control.⁹ In some jurisdictions, carriers may limit their liability for negligence in exchange for providing a free pass or reduced fare.¹⁰

What the following news articles will reflect is that there are various causes for common carrier automobile accidents, ranging from an intersection collision,¹¹ a distracted truck driver,¹² an illegal U-turn,¹³ a medical condition resulting in a school bus driver fainting,¹⁴ and winter weather conditions.¹⁵

Truck Accident in Illinois Traps Two under SUV

On April 21, 2010, a truck accident trapped two pedestrians under an SUV in DuPage County after the semi trailer truck collided with the SUV, twenty miles west of Chicago.¹⁶



The 18-wheeler truck belonged to Jewel Food Corporation based in Itasca, Illinois, but the truck driver was not identified.¹⁷

⁹ *Id.*

¹⁰ *Id.*

¹¹ "Truck Accident in Illinois Traps Two under SUV" ACCIDENT IN (May 4, 2010) at http://www.accidentin.com/article27887505/illinois_truck_accident_traps_two_under_suv.htm.

¹² "Three Killed in Illinois Truck Accident" ACCIDENT IN (June 11, 2010) at http://www.accidentin.com/article27887500/_illinois_truck_accident_kills_three.htm.

¹³ Eileen Markey and Tamer El-Ghobashy "Deadly Crash at Bus Stop" WALL STREET JOURNAL (Aug. 11, 2010) <http://online.wsj.com/article/SB10001424052748703435104575421930383140618.html>.

¹⁴ Sue Loughlin, "Driver dies after Illinois school bus crash" THE TRIBUNE-STAR (Feb. 10, 2012) at <http://tribstar.com/news/x290305515/Driver-dies-after-Illinois-school-bus-crash>.

¹⁵ "Motorist killed in Marine, IL semi truck accident" ACCIDENT IN at http://www.accidentin.com/article_read.php?idLink-27887530 (Jan. 20, 2012).

¹⁶ "Truck Accident in Illinois Traps Two under SUV" ACCIDENT IN (May 4, 2010) at http://www.accidentin.com/article27887505/illinois_truck_accident_traps_two_under_suv.htm.

¹⁷ *Id.*

The truck entered the intersection of Roosevelt Road and Main Street, colliding with a Hyundai Santa Fe SUV traveling north on Main Street.¹⁸ The SUV was driven by an unidentified 18-year-old.¹⁹ The impact of the truck forced the SUV off its wheels and it rolled over on sidewalk.²⁰ The truck driver did not sustain any injuries.²¹ The driver of the SUV was trapped in his vehicle after the accident and was removed by firefighters within twenty minutes; he suffered minor injuries.²² The SUV fell on two pedestrians who were walking by at the time.²³ Though seven people were involved in the rescue of husband and wife caught under the SUV, the woman sustained fatal injuries.²⁴

Three Killed in Illinois Truck Accident

Three people were killed on May 31, 2010 in a truck accident in Coles County, Illinois where a truck driver may have been distracted driving on Interstate 57 through a construction zone.²⁵



The interstate was going down to one lane, and several vehicles in front of a semi-trailer truck were attempting to merge into the single lane.²⁶ The truck driver reportedly became distracted as he drove up to slower moving vehicles, and did not reduce his speed.²⁷ The truck driver collided with the first vehicle, a Trailblazer, which set off a chain reaction accident that

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ "Truck Accident in Illinois Traps Two under SUV" ACCIDENT IN (May 4, 2010) at http://www.accidentin.com/article27887505/illinois_truck_accident_traps_two_under_suv.htm.

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ "Three Killed in Illinois Truck Accident" ACCIDENT IN (June 11, 2010) at http://www.accidentin.com/article27887500/_illinois_truck_accident_kills_three.htm.

²⁶ *Id.*

²⁷ *Id.*

involved nine vehicles.²⁸ The truck driver had minor injuries and had blood and urine samples drawn, though officials did not believe drugs or alcohol were factors in the deadly truck accident.²⁹

One vehicle was an SUV with four passengers, which had almost reached its destination when the truck accident occurred.³⁰ After being rear-ended by the semi-trailer truck, the SUV went off the road into the center grassy median and burst into flames.³¹ Three of the four passengers suffered fatal injuries and were already deceased when local emergency teams arrived to the scene of the accident.³² The driver of the SUV survived and was treated at the Memorial Medical Center in Springfield in the burn unit.³³

Deadly Crash at New York Bus Stop

The Wall Street Journal reported that one man was killed and six other people were injured in August of 2010 when a taxicab crashed into a crowded Bronx (New York) bus stop while trying to avoid colliding with a van making an illegal U-turn.³⁴ The collision destroyed the bus shelter where at least six people waited for a Metropolitan Transit Authority Bus. Several victims were pinned under the taxi and injured by debris.³⁵

The taxicab driver was not charged with any crime, said police and a spokesman for the Taxi and Limousine Commission said the driver was in good standing.³⁶ The driver worked for First Class Dispatch for five years and had a clean driving record.³⁷ The driver that made the illegal U-turn was identified and investigated.³⁸

²⁸ *Id.*

²⁹ *Id.*

³⁰ “Three Killed in Illinois Truck Accident” ACCIDENT IN (June 11, 2010) at http://www.accidentin.com/article27887500/_illinois_truck_accident_kills_three.htm.

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ Eileen Markey and Tamer El-Ghobashy “Deadly Crash at Bus Stop” WALL STREET JOURNAL (Aug. 11, 2010) <http://online.wsj.com/article/SB10001424052748703435104575421930383140618.html>.

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*



Photograph: Victor Chu for The Wall Street Journal.

Driver Dies after Illinois School Bus Crash

The twenty-three students aboard a school bus left the vehicle with only bumps and bruises after the school bus landed in a ditch on U.S. 40.³⁹ “Brace yourself. Brace yourself,” were the words of Fay Pickering, the veteran school bus driver for more than twenty years, as the school made a turn for the worse.⁴⁰ Pickering passed out and was later pronounced dead.⁴¹ The death appeared to be cardiac-related, according to an autopsy by Union Hospital, Vigo County Coroner Dr. Roland Kohr.⁴² Clark County officials stated that the accident was the result of a medical complication.⁴³

A bus surveillance video showed that the bus was not speeding and Pickering put on the brakes lightly, even though her strength was likely fading at the time.⁴⁴ The accident occurred one-half mile east of Marshall, Illinois.⁴⁵ The bus ran off the road into a ditch, but remained upright, according to the Clark County Sheriff’s Department.⁴⁶

The students ranged from elementary school students to high school students.⁴⁷

Motorist Killed in Marine, Illinois Semi-Truck Accident

In Madison County, Illinois, an accident occurred in “white out” conditions.⁴⁸ The 50-year-old driver of a 2004 Hyundai crossed over the center line into northbound traffic while

³⁹ Sue Loughlin, “Driver dies after Illinois school bus crash” THE TRIBUNE-STAR (Feb. 10, 2012) at <http://tribstar.com/news/x290305515/Driver-dies-after-Illinois-school-bus-crash>.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ Sue Loughlin, “Driver dies after Illinois school bus crash” THE TRIBUNE-STAR (Feb. 10, 2012) at <http://tribstar.com/news/x290305515/Driver-dies-after-Illinois-school-bus-crash>.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

traveling southbound on Route 4.⁴⁹ The driver collided head-on with an 18-wheeler that was driving northbound at the time.⁵⁰ The Hyundai driver did not survive the collision and the tractor trailer driver was reported uninjured.⁵¹ It was unknown at the time why the Hyundai driver crossed over the center line into oncoming traffic.⁵²

The collision triggered a second accident when a pickup truck and SUV crashed head-on into each other while trying to avoid the first accident.⁵³ The weather was probably a factor in these accidents.⁵⁴ The roads were reported to be covered with snow, with heavy winds and blowing snow contributing to unsafe driving conditions.⁵⁵



2004 Hyundai.

⁴⁸ “Motorist killed in Marine, IL semi truck accident” ACCIDENT IN at http://www.accidentin.com/article_read.php?idLink-27887530 (Jan. 20, 2012).

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² *Id.*

⁵³ “Motorist killed in Marine, IL semi truck accident” ACCIDENT IN at http://www.accidentin.com/article_read.php?idLink-27887530 (Jan. 20, 2012).

⁵⁴ *Id.*

⁵⁵ *Id.*