



DASH CAM DEFENSE

Over the past decade, litigation targeting the trucking industry has skyrocketed. Motorists involved in crashes with big rig trucks are being conditioned by law firms through continuous advertising to sue those carriers for big payouts. Sadly, this is happening regardless of fault, damages or injury.

When involved in a crash one of the ways trucking operations are helping to shield themselves from unwarranted

number and in size of awards. Research conducted over 13 years of data reveals that in the first five years of that data (600 cases between 2006 and 2019), there were 26 cases settled for over \$1 million, and in the last five years, there were nearly 300 cases. Considering that just one bad crash can jeopardize a company's future, carriers must take extra steps to (at the minimum) defend their driver's actions behind the wheel. This must include vehicle maintenance and driver selection.

Example scenario: Over the past summer, one of our members was traveling through an intersection and collided with a motorist and

their family turning left in front of him. The initial charge was made against the truck driver placing blame solely on him for speeding through the intersection.

In this particular case, our member's vehicle was not equipped with a dash camera. However, the determined minds of the claims staff including the driver decided to approach surrounding businesses for any video cameras they may have had rolling at the time of the crash. Fortunately for our member one

business owner's camera captured the entire incident and thankfully they were willing to share that video. The video evidence along with data from the truck's engine control module validated the driver's innocence and showed the driver of the other vehicle making a poor choice that led to the crash.

Without this evidence, attorneys likely would have scoured his record looking for any missed maintenance, prior crashes, citations, criminal history, etc in an effort to paint an irresponsible and reckless monster behind the wheel. They would then point their attention at the company that hired this "irresponsible" driver and add them to the lawsuit.

As you might imagine, this is not a situation anyone would want to be in. Still, it happens frequently and truckers need to be prepared. We highly recommend installing dash cameras in your vehicle(s). Additionally, companies need to adhere to strict maintenance schedules, make necessary repairs, and vet drivers before putting them in a position of power behind the wheel. It is advisable to conduct regular driver meetings to discuss trends, expectations, what-to-dos and incentives. Reach out to us if we can be of assistance.

More than 1,000% increase in claims of \$1 million or more in a 5-year period

liability is by installing dash cameras in their vehicles. This is a trend that is gaining a lot of popularity as litigation becomes a more routine part of the claims handling process. Some insurance companies are even surveying their insureds for a partnership to have those cameras installed.

The American Transportation Research Institute (ATRI) reports that large verdicts against trucking fleets continue to increase dramatically, both in