



*Insurance
Adjusters*

September 17, 2021



BULLETIN

A-One Commercial Insurance Risk Retention Group, Inc.

Driver Selections

Southland Claims Service, Inc., A-One Commercial Insurance Risk Retention Group, Inc.'s contracted claims department, will periodically produce bulletins to alert agents and insurers to claim situations that often lead to difficulties and misunderstandings for insureds, concerning the responsibilities of insured and insurer.

Two (2) recent jury trials prompts this bulletin as a reminder to all policyholders to make appropriate driver selections.

In one case, a Nevada jury awarded \$38.8 million for the death of a sixteen (16) year old girl. The girl was crossing the street with the walk signed when the truck, going the same way, turned right and ran over this person.

- * The jury cited as the basis, the history of the driver of traffic violations and other infractions going back years. The driver was fired for several accidents where he struck parked cars, but was re-hired just before this fatality accident.

In another case, a jury in Nassau County Florida awarded \$1 billion against two trucking companies for the death of a teenage boy. \$900 million was awarded against a company and the driver of a vehicle that caused an accident and blockage of the highway. IT was determined the driver was on his cellphone, driving over the legal limit of time and did not have a commercial driver's license.

The \$100 million was rendered against a company and the driver for striking the vehicle the teenager was in that was stopped for this previous accident. Evidence determined the driver failed to heed warning signs of an accident ahead and failed to apply his brakes timely.

It is most important that all drivers conform to the driving rules and when hired, they pass all the underwriting standard requirements.

As a reminder as well, any verdict rendered in excess of the policy limit is the policyholder's responsibility not that of the insurance company.