

LAWSUITS IMPROVE AUTO SAFETY – PART 2

When a person is hurt in a car accident by some problem or defect in a vehicle, he or she may bring a products liability lawsuit against the manufacturer. If the injured plaintiff can convince the jury that the manufacturer built a car that was unsafe and that a safe design existed, then the plaintiff can recover damages for the injuries he or she has suffered.

But products liability suits do far more than provide compensation for those who have been injured by dangerous or defective products: In the long run, they also make those products safer.

Last month, we presented several ways that lawsuits have improved auto safety over the years. Here are some more.

Roof Support Pillars

Manufacturers' knowledge that roof support pillars were inadequate to support the roofs of vehicles involved in rollover collisions did not lead to the reinforcing of pillars and roofs; rather, lawsuits brought by people injured when their roofs were crushed led manufacturers to act.

Airbags

The very manufacturers whose ads now brag about the number of airbags in their vehicles fought tooth and nail to prevent airbags from being made mandatory, despite their own data showing that airbags greatly decreased the chance of car occupants' being killed in certain accidents. Again, lawsuits arguing that a car with airbags was a safer and a feasible design led to a change in both attitudes and regulations.

Safer Tires

Nor are the cars themselves the only beneficiaries of increased safety attributable to litigation. A series of lawsuits led to large recalls of Firestone tires (mostly on Ford vehicles), the

treads of which were prone to separate, causing the cars to crash. The problems causing the tread separation have now been addressed.

Power Window Switches

When power windows became common, most had rocker-type switches that the user pushed down on to close the window. The problem with this type of switch was that it was possible to lean on the switch by accident, thus raising the window.

In one three-month period in 2004, seven children died when they accidentally closed the window and were strangled. Manufacturers knew of the problem and knew it could be solved with switches the user had to pull up on to close the window, but it took a spate of lawsuits to “encourage” them to use the safer switches.

It is tempting to see a lawsuit only as a way of getting back what has been taken from you, and this is certainly one of its important purposes. However, the effects of a lawsuit may echo far outside the courtroom in which it is decided and may save hundreds or thousands of lives.

Nothing in this article should be construed as legal advice. You must consult with an attorney for the application of the law to your specific circumstances.

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