

PRODUCTS LIABILITY – UNSAFE TIRE – SUV ROLLOVER

Jaime Jackson recently settled a case involving an unsafe tire that caused a tire blowout resulting in the SUV rolling over and injuring the driver and killing the passenger. The vehicle was traveling at highway speeds when suddenly and without warning the right rear tire catastrophically came apart causing the vehicle to go out of control and rollover on the roadway.

On behalf of our clients, we pursued product liability claims against the manufacturer of the tire and of the sport utility vehicle. After extensively studying the tire and locating numerous manufacturing and design defects, as well as following close inspection of the vehicle, all claims against the manufacturer of the tire and vehicle were settled before suit needed to be filed.

Tire failures often cause devastating accidents, and the unfortunate reality is that many cars on America's roadways today have at least one unsafe tire. Tread separation, a leading cause of tire failures, is often a result of defective design or manufacturer of the tread. Degradation due to age, even if the tire's tread is sufficient, is also a common reason why tires fail. Often times, a tire failure can also expose other defects within a vehicle's design or performance. If a tire failure played a part in causing the accident a thorough review of all liability issues such as stability, roof crush and occupant restraint must be conducted to determine whether product defect claims also exist.

A rollover accident is always serious and will put a vehicle's design and safety equipment to the test. This type of accident has the potential to expose a myriad of defects, therefore it is important to first review why it happened, and second, whether the vehicle and its safety systems adequately protected the occupant. It is critical to quickly determine for instance, whether a tire or mechanical failure was involved, and whether Electronic Stability Control (ESC) was incorporated and performed as intended. If the occupant was not adequately protected, an analysis of the injuries may expose defects in areas such as the roof, a seatback or a seatbelt. A quick and thorough investigation is critical in identifying whether a product defect, crash worthiness or other claims exist.