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Big trucking v. families: Let's put safety first | Opinion

Donald Hinkle Your Turn

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Some of my earliest memories are of attending truck driver safety meetings with my dad, the safety director for a regional trucking company. He'd gather all the drivers at the terminal and talk about their responsibility to be professionals, the safest drivers on the road. They took justified pride in themselves and each other.

Unfortunately, professionalism is no longer universally valued by the trucking industry. Today many fly-by-night trucking companies place greed ahead of safety, hire unqualified drivers and fail to properly maintain equipment, putting our families at risk.

The National Highway Traffic Safety Administration reports a 52% increase in truck crash fatalities since 2010, many resulting from inexperienced drivers who are distracted and exceeding the speed limit. Because there are more catastrophic crashes, there are more lawsuits, but this does not mean the lawsuits are frivolous.

For example, in a recent Nassau County case, two dangerous and distracted truck drivers combined to cause death and destruction. The first truck driver was watching pornography on his phone and plowed into slower traffic, causing a mile long traffic jam.

A second driver rolled past multiple warning signs saying "Crash Ahead, Stopped Traffic" without ever touching his brakes, perhaps because he did not read or speak English and was also watching videos. He plowed into stopped traffic while still on cruise control.

Among the many victims was an 18-year-old college freshman returning home for the holiday weekend. His mother arrived on the scene to find her son's lifeless body under a sheet.

This is not an isolated incident. We have all looked in the rear-view mirror to see our children in the back seat and a tractor-trailer riding our bumper. We have all been passed by trucks going 80 miles per hour, and how often do we see trucks wandering within their lane while the driver watches his phone? It is tragically common to read of inexperienced drivers watching videos and recording TikTok clips while barreling down the highway in 80,000-pound trucks.

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Good companies hire professionals and use technology to monitor and prevent such behavior. Bad actors want their drivers to speed and work excess hours. They place our families at risk. So, yes, lawsuits are up but only because crashes are up.

It does not have to be that way. We could bring back the professionalism and safety-first mentality of my father's time. Instead of defending wrongdoers, lawmakers should increase the minimum driver age to 25, require speed

governors and mandate automatic emergency braking systems – measures already taken by responsible trucking companies. Those changes alone would have far more impact in reducing claims than limiting the rights of Florida families.

Professional truck drivers are the backbone of America, many driving millions of miles without mishap or even a ticket. It dishonors professional drivers to claim reckless driving is inevitable and the solution to the massive increase in truck crashes is to take away victims' rights. While it is true the American Dream runs on 18-wheels, it need not be a nightmare for so many innocent families.

Donald Hinkle is a Board -Certified Civil Trial lawyer handling catastrophic injury and death cases. He does not currently have any truck accident cases but often shares the road with 18-wheelers. He can be reached at don@hinkle.law.

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