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All Eyes on San Francisco in Wrongful Death Suit Involving Uber

ROCKVILLE, Maryland—A wrongful death lawsuit against Uber that comes after a 6-year-old girl in San Francisco was killed by a driver for the company's uberX "ridesharing" service is sending shock waves across the country. Regulators and city officials should take note and take action.

The case brings to light the serious insurance gap involving unregulated transportation apps. In the case of the San Francisco accident, Uber reportedly maintains that it is not responsible in the death, since the driver did not have a passenger at the time, and was therefore off duty. The driver's attorney, however, has stated that the driver had his Uber app open and was driving the streets in the hopes of being dispatched to pick up an uberX passenger.

At the crux of the case is whether Uber will be allowed to claim that it can turn its liability and responsibility "on" and "off." This is unlike the licensed taxi and limousine industry, where vehicles are commercially insured at all times, regardless of whether they are en route to a passenger, carrying a passenger, or waiting for a passenger assignment. Waiting for the next passenger assignment, as the uberX driver said he was doing, is an integral, insurable part of the taxi business.

"The question for transportation regulators and city officials across the United States is: 'How much do you know about the exact terms of liability insurance coverage offered by these companies?' If the answer is 'We're not exactly sure,' then we would urge officials in any city where these apps operate—whether they be Uber, Lyft, Sidecar, or others—to demand a meeting immediately with company representatives to get to the bottom of this question. The safety of their streets, their passengers, and their public is in their hands," said Robert Werth, President of the Taxicab, Limousine & Paratransit Association.

Werth continued: "It is appalling to see a company so callously deny it has any responsibility in this accident. Uber wants to pretend this isn't their problem. Well, it is their problem, and it's very much the problem of any city that allows these companies to run wild without oversight, or for anyone who would drive for Uber, be an Uber passenger, or, as we see in this case, be an innocent pedestrian walking across the street with her mother."

The California Department of Insurance recently issued a warning about dangerous insurance loopholes for anyone considering driving for such apps, known in the state as Transportation Network Companies. Meanwhile, an insurance expert at Consumer Reports just this week warned potential drivers that they risk losing their coverage if they drive for ridesharing apps under their personal liability policies.

About TLPA:

Established in 1917, the Taxicab, Limousine & Paratransit Association (TLPA) is a non-profit trade association of and for the private passenger transportation industry. Its extensive membership spans the globe to include 1,100 taxicab companies, executive sedan and limousine services, airport shuttle fleets, non-emergency medical transportation companies, and paratransit services. For more information, please visit www.tlpa.org.

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