

Summary Judgment Against Plaintiff Bus Passengers Affirmed Where There Was No Evidence Of Negligence



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Plaintiff husband and wife had just boarded a CTA bus and were walking down the aisle to find a seat. A taxi suddenly pulled in front of the bus, and the bus driver had to brake suddenly. As a result, both plaintiffs fell down sustaining injury. The trial court reviewed a video of the accident as well as deposition testimony and held that the bus driver had to brake to avoid colliding with the taxi, and the bus company and driver should not be liable.

The First District affirmed. Although common carriers must exercise the highest degree of care consistent with the practical operation of the conveyance, they are not an insurer of the absolute safety of a passenger. It concluded reasonable minds could not believe that braking to avoid an imminent collision with a darting vehicle was an unreasonable thing to do. There was no evidence to indicate the bus driver's speed or attention created the need to suddenly apply the brakes, but rather it was the taxi that caused the accident. *Carlson v. Chicago Transit Authority*, 2014 IL App (1st) 122463.

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