Ted Bassett quoted in Law360 article

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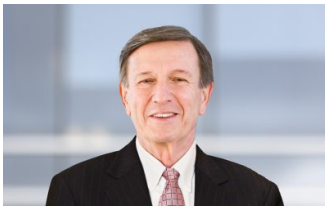
Attorney Ted Bassett was quoted in LAW360, “Unsafe Carriers Seem Doomed After Freight Broker Ruling.”

The U.S. Supreme Court’s recent holding that freight brokers can be held liable under state law for the negligent hiring of motor carriers that cause auto collisions is a “monumental” win for highway safety, plaintiffs attorneys said, as dangerous “fly-bynight” trucking companies could be put out of business.

Ted Bassett of Mirick, said before this decision, there were some freight brokers who would hire the least expensive carrier and just make sure they had a license with the U.S. Department of Transportation. “But now the chance they will hire a fly-by-night company will be minimal,” he said. “[Freight brokers have] been exempt for so long, with no regulations requiring what they had to do – they didn’t even have to have insurance like the trucking companies.” In addition, vetting unsafe carriers will help improve highway safety, the Boston-area-based Bassett said, and will not be too financially burdensome for the brokers, as many already conduct best practices in hiring safe drivers. “When you have a nine-to-nothing decision by the Supreme Court written by Trump appointees, they don’t think it’s bad for business to make sure the public is safe,” Bassett said. Bassett also said vetting transportation carriers for safety issues “is not rocket science” and likely won’t be too difficult for juries to sort through at trial. “If you were to present to a jury that you hired company X and you knew they had 22 crashes last year and five drivers with suspended licenses and drivers who cheated on hours of service, I don’t think it’ll be hard for them to decide one way or another,” he said. “They don’t have to be perfect but let’s get rid of the fly-by-night companies. Everybody will be in favor of that except those companies.”



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