

Calls for companies to be held liable in fatal lorry crashes

By MARTIN CARVALHO
mart3@thestar.com.my

PETALING JAYA: Malaysia is soul-searching once more on how road accidents could be prevented following the horrific crash which cut short the lives of nine policemen.

The tragedy, which saw the arrest of a lorry driver involved in the collision with a Federal Reserve Unit truck, has led to calls for companies to also be held responsible for accidents.

"Currently, drivers face most of the legal burden after a crash while their companies often escape scrutiny.

"It is critical to hold the employers and companies accountable for poor hiring practices and

unsafe working conditions," said Assoc Prof Dr Law Teik Hua, head of the Road Safety Research Centre at Universiti Putra Malaysia's Engineering Faculty.

He said that accountability must extend beyond the lorry drivers involved in such accidents. A corporate liability framework should be set up to ensure that directors of lorry companies can be penalised for negligence such as ignoring safety regulations or incentivising long and unsafe working hours.

"Companies should be required to send drivers for regular drug tests and safety training as well as carry out background checks before hiring drivers."

Otherwise, he said they should be blacklisted or penalised under



Another highway horror:

'The Star' coverage of the Karak highway crash that killed 11 FRU officers in 1990.

a demerit system for failing to comply with safety standards.

He said that yesterday's tragedy highlighted serious gaps in road safety, driver accountability and vehicle regulations, especially concerning heavy vehicles.

"Heavy trucks are often involved in road crashes. Yet, there is little indication of prompt or effective policy response.

"This points to a larger issue of weak and inconsistent enforcement."

Law suggested the use of digital monitoring systems such as GPS tracking, dashcams, and driver alertness systems to oversee driver behaviour in real-time.

He also noted that safety improvements must be carried out on law enforcement and emergency vehicles.

"To enhance protection, install seat belts and restraint systems in the rear compartments of trucks carrying personnel.

"Unrestrained passengers face deadly risks during sudden collisions," he said.

Law acknowledged that firm multi-level response is needed to address the issues to prevent such tragedies from repeating.

> SEE NEXT PAGE

'There must be more collective responsibility on our roads'

> FROM PREVIOUS PAGE

"Without these, we risk seeing the same horrors on our roads," he said.

Malaysian Institute of Road Safety Research (Miros) chairman Dr Wong Shaw Voon said lorry companies must be accountable for the roadworthiness of their fleet of vehicles.

"The company must ensure that they have the proper tools and equipment to keep their vehicles in good condition. Failure to do so could lead to innocent people losing their lives," he said when contacted.

Wong also said companies must be familiar with the capacity of their lorries.

"Was the lorry suited for transporting stone? Was it overloaded?" he asked.

"This should be the responsibility of the company as the driver may not have any say or knowledge in such matters."

Road Safety Marshal Club president K. Balasupramaniam stressed on collective responsibility as well, saying: "The company director, the owner of the lorry and the company that uses the lorry should be held accountable.

"If we start doing this, then the company directors will be more careful in recruiting drivers and other safety aspects

"If only the driver is held accountable, the company will just replace that driver and then it's back to business as usual."

He suggested the creation of a lorry drivers' database where companies could vet the drivers, as well as adopting artificial intelligence technology to monitor the facial expressions of the lorry driver.

"The system will note changes in the driver's expression or if the driver is sleepy to send an alert to the company. The driver would then be asked to pull over and be replaced," he added.