

Truck tire explodes causing fatal multiple-vehicle crash on I-95

Two months before the accident the manufacturer issued a recall of tires manufactured a year later than those on the truck, due to risk of tread separation.

On September 27, 2012, just before 6:00 a.m., a Ford F-350 truck belonging to a Jacksonville, Florida, construction company was heading north on Interstate 95 carrying its work crew to a jobsite. The truck was traveling about 70 mph in steady traffic, on a cool, clear morning. Suddenly, the left front tire of the truck blew apart. The truck careened out of control and crashed into the highway's guardrail. A section of the guardrail was detached by the impact of the crash, and both the guardrail section and truck flew into the northbound traffic lanes. Vehicles immediately adjacent to the truck's path included a motorcycle driven by Tom Smith (not his real name), a small sedan, and a medium SUV. The three vehicles could not evade the guardrail debris and the truck as it rolled over, and they crashed violently together. Tom Smith was thrown from his motorcycle and died instantly.

The accident scene investigation focused on the left front tire of the truck. It revealed that the tire's failure was caused in part by tread belt separation. The Ford F-350 truck had been inspected by a Ford dealer and had undergone routine maintenance services the day before the tragic accident. Routine inspection of the truck's tires (identified here as "Model X Tires" for confidentiality) found no visual deterioration, foreign objects, punctures, or problems with air pressure, and the tread depth was reported as sufficient for continued operation.

Tom Smith's death was devastating to his family. He was only 48 years old and had been happily married for 26 years. He and his wife enjoyed many family activities that included their two sons, ages 11 and 21. Tom and his family were also very involved in community and church activities. The financial impact of his death was considerable – the family now faced the loss of his income (he had been employed for many years as an information technology manager), health insurance coverage, and retirement funding. Tom's family reached out to SDSBS attorneys **Cameron Kennedy** and **Carter Scott** for help in finding the cause of the accident that resulted in Tom's death, and in identifying those who should be held accountable.

Further investigation into the tire failure revealed that the particular Model X Tire on the truck had been manufactured in February 2009 at XYZ Tire Company's (not its real name) plant

in Alabama. In July 2012, two months before the accident that killed Tom Smith, XYZ Tire Company announced a recall of thousands of tires due to the risk of tread belt separation. The recall included Model X Tires manufactured the year after the tire involved in Tom Smith's accident, but the recall did not include the tire involved in Tom Smith's accident. Attorneys Cameron Kennedy and Carter Scott conducted investigations into the materials used by the manufacturer for the same tire design model that was subject to the recall and the tires made prior to the recall. The investigation raised concerns that the tire that failed was subject to the same risk factors as the tires that were recalled. In short, the tire company had manufactured tires in 2009 the same way it had manufactured tires months later in 2010.

A civil action was filed against the tire company and other defendants. After lengthy litigation, the parties reached a confidential settlement. As a result of the hard work performed by the attorneys at SDSBS, Tom's family received justice for their loss and financial security for their future. ♦

SDSBS investigation disclosed that the tires on the truck were subject to the same risk factors as the tires later recalled because of similar materials and design.

