

Lyft Sued in Death of Motorcyclist

Celia Ampel

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Attorney Ervin Gonzalez

J. Albert Diaz

The ridesharing company Lyft is facing a wrongful death lawsuit after one of its drivers allegedly crashed into a Miami motorcyclist.

Lyft driver Pirooz Pakdel failed to yield the right of way at a four-way stop sign near the Shops at Midtown Miami on Oct. 31, according to the complaint filed Monday in Miami-Dade Circuit Court. Pakdel was carrying two passengers when he turned left, striking 29-year-old Loinier Perez and throwing him off his motorcycle. Perez died soon after.

Perez's widow, who is expecting a baby next week, sued Pakdel and Lyft for negligence.

The San Francisco-based company has an unsafe business model that promotes people taking up driving as a side job, argue her attorneys, Ervin Gonzalez and Susan Carlson of Colson Hicks Eidson in Coral Gables.

"They're not chauffeurs," Gonzalez said. "They're working way too many hours if you count up all the jobs they have. It's not safe the way they do it. More importantly, they're constantly on their cellphone because that's the mode of communication Lyft uses with their drivers."

Lyft, its main competitor Uber, their vehicles and drivers don't have the permits that taxi and limousine companies do, raising a safety issue for Gonzalez.

"Like any new industry, it needs to be properly regulated and supervised so that public safety is ensured," he said. "Right now they're kind of operating like the wild, Wild West, and that's not safe." The lawsuit claims Lyft was negligent in its training and background checks for Pakdel.

"I think if the driver failed to see a big, giant red stop sign, the most fundamental sign in driving, that to me is questionable as to whether this man should be driving passengers," Gonzalez said. "Having a driver's license, even if you have a clean record, doesn't mean that you're a competent chauffeur."

Gonzalez said he expects Lyft to raise the argument that its drivers are independent contractors, not employees. Both Lyft and Uber are involved in litigation over the employment status of their drivers. Florida law considers the amount of control a company could exert over a worker to be the most important test of employment, and the instructions drivers receive from the Lyft app are enough to pass that test, Gonzalez said.

The company has not yet offered to pay any insurance settlement for the accident, Gonzalez said. Lyft declined an interview request.

"We are not commenting on the suit, but our hearts go out to all involved in this tragic accident," Lyft spokeswoman Chelsea Wilson said in an email.



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