

Miami Woman Sues Lyft Over Husband's Death

November 19, 2015 By Gary Nelson



MIAMI (CBSMiami) — At a law office in Coral Gables Thursday, Poliana Perez wept as she spoke of the loss of her husband.

“Now, I have my baby, I have my daughter, but I don’t have my husband,” she said through her tears.

Perez no longer has her husband Loiner “Leo” Perez, stepdad to her daughter and father of their son who will be delivered by c-section Monday.

At Northeast 1st avenue and 36th street in Miami Halloween afternoon a Lyft driver, police say, failed to yield the right of way, turning left into Leo Perez on his motorcycle, killing the 29 year-old mail room supervisor for Fisher Island.

“How is it that this Lyft driver failed to respect and see a stop sign,” asked Perez’s attorney Ervin Gonzalez, holding up a full-sized red and white stop sign at a news conference Thursday.

Poliana Perez’s lawsuit against the app-based ride service alleges it hires untrained, distracted, fatigued drivers to carry paying customers.

“You don’t know who these people are, you don’t know what their history has been, there’s no regulation whatsoever,” the attorney Gonzalez said.

Lyft requires its drivers to have a clean license, undergo a background check and carry \$100,000 in liability insurance.

“A hundred thousand dollars for killing a man and ruining the lives of two people, is that enough,” asked Gonzalez.

CBS4’s Gary Nelson ordered up a Lyft ride on his iPhone Thursday in Coral Gables and within four minutes, Lyft driver Roberth Rivera had Nelson in the front seat of his Toyota Corolla.

Rivera told Nelson that he works up to 50 hours a week for Lyft, and with 25 hours on a second job, he routinely works 75 hours a week. He said there is a financial incentive for him, because the company reduces the amount of its take from his fares the more he works.

Throughout Nelson’s ride with the Lyft driver, the driver had one hand draped on the steering wheel and, in the other hand, his mobile device face up. It serves as both a GPS and a way for him to communicate with passengers and the company via phone calls and touch screen messaging.

The driver told Nelson he doesn’t consider his various uses of the cell phone dangerous or a distraction, because he does most of it while stopped.

At the news conference announcing the lawsuit against Lyft, Poliana Perez said she doesn’t know how she will be able to cope without her husband, as she prepares for the delivery of their son, already named Caleb, next week.

“He was the perfect husband. He did everything for us, everything,” Perez said, weeping. “You have no idea how amazing a husband he was.”

While Lyft and Uber are obviously here to stay, much remains to be done in the way of local and state regulation to get a grip on how the companies operate.

In Broward County they are carrying passengers legally, under a compromise series of regulations hammered out with county commissioners.

In Miami-Dade they are operating illegally, but the county has stopped trying to enforce laws against them. Mayor Carlos Gimenez has said the transportation for hire industry has to come “into the 21st century.” He expects the county to have an ordinance regulating the ride-sharing services worked out by the end of the year.