

Accident or Crime

What the law says about signs

By Jennifer Esty

Most accidents happen in the home- the good news about accidents that happen outside of yours is that someone else might be at fault. Unless they've put a sign up.

According to attorney Leondros A. Vrionedes, who has been practicing for over 15 years, caution or danger signs warning of conditions that are "open and obvious" can limit liability for companies or government agencies.

He gives the example of an oil company that has placed a hose across a sidewalk in order to fill an indoor tank. If the hose is "open and obvious" and the company has put out caution signs, someone who trips and falls on the hose would be hard pressed to prove the oil company was liable.

Sidewalks are a different matter. Cracks in sidewalks or potholes that aren't indicated by signs are fair game for litigation. Vrionedes says one of his most common claims is the "trip and fall" accident, like those that happen on city sidewalks. Other common claims are car accidents, including pedestrians knocked down by cars, and construction cases. Labor laws ensure that victims of construction accidents are still protected, regardless of whether a sign is posted or not. Vrionedes points out that "there aren't any warning signs for most accidents." Construction companies are unlikely to post signs warning people not to fall off ladders or get hit by flying debris.

As for pedestrians hit by cars, generally the driver's insurance will cover the expenses. However, Vrionedes points out that a little common sense doesn't hurt: "If the damn thing says don't walk, don't walk."

All in all, Vrionedes does not believe New York is any more dangerous than other cities. "Do things happen? Absolutely, that's why they call them accidents," he said. "If they're intentional, it's not an accident, it's a crime."

He believes the only way to ensure that accidents aren't repeated is to make the offenders responsible.

He said. "The only way to get companies, corporations to make changes is to have the ability to sue; if you don't, it would be a more unsafe world to live in."