

The most dangerous area in your neighborhood could be a parking lot

Most people don't realize it, but parking lots are among the most dangerous places in America. An extraordinary number of accidents, injuries and crimes occur each year in parking lots and parking garages.

For this reason, the law imposes a duty on parking lot owners to protect their customers, with proper lighting, maintenance, signs and security. A parking lot owner can be held liable in court to someone who was injured or harmed if the lot wasn't made properly safe.



Here's a look at some of the dangers of parking lots, and some of the reasons that parking lot owners may be held responsible for them.

Auto accidents. One out of every five automobile accidents in the U.S. occurs in a parking garage or a parking lot, according to the National Highway Traffic Safety Administration. Many of these are low-speed fender benders, but even a low-speed crash can cause significant soft tissue injuries to drivers and passengers. And an accident with a pedestrian can result in very serious harm. A common cause of these accidents is low visibility along with confusing signage, such as stop, turn and yield signs. This is especially a problem in high-traffic garages. A garage owner can be held responsible for an accident if it was caused in part by poor design, poor lighting, or unclear directions. In large outdoor lots, an owner might be liable for not installing speed bumps or other safety features.

Falls. Many people slip and fall in parking lots each year. A parking lot often encompasses a large area, and every inch of it needs to be maintained carefully because customers walk over every part of it, sometimes carrying large purchases or other distracting items. A parking lot owner can be held liable if a fall was caused by broken pavement, potholes, or crumbling curbs. In an enclosed parking garage, an owner has a duty to repair broken stairwell bannisters, burnt-out light fixtures, and other problems that could lead to a fall. Ice and snow can also be a problem. Not only do they have to be plowed and removed to prevent falls, but owners must make sure that the removal process itself is safe. For instance, in a recent case in Vermont, a snowplow driver accidentally dislodged a storm drain. A vendor was injured when he fell into the drain, and the Vermont Supreme Court said the parking lot owner could be held liable.

Crime. Parking lots and garages attract criminals. An enormous number of crimes are committed in parking areas each year, ranging from car thefts and break-ins to purse-snatchings, muggings, assaults, carjackings, and rape. While parking lot owners can't prevent all crimes, they have a duty to make their premises reasonably safe. This can include adequate lighting, closed circuit cameras, security personnel, and even making sure that trees and shrubs don't provide convenient cover for lurking criminals. What security measures are necessary depends on the likelihood of criminal activity. Obviously, if a parking lot is located in a high-crime area or if there have been previous crimes committed there, an owner has a greater duty to take measures to make the premises safe. But an owner might also have a greater duty if the lot:

- is typically used at night (for instance, it serves a restaurant rather than an office building);
- is located near a busy highway (providing a convenient escape route); or
- has an automated payment system rather than paid attendants who can keep an eye on things.



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Fights. With certain types of businesses, such as bars and nightclubs, there's a greater duty to provide security because of the likelihood of violent altercations among patrons. For instance, a San Francisco Giants fan attended a game against the team's archrival Los Angeles Dodgers at Dodger Stadium. After the game, the man was assaulted and severely injured in the parking lot by a pair of Dodgers fans. A jury ordered the Dodgers to pay millions of dollars, because the team knew there was a history of tension and occasional violence between opposing fans but didn't provide enough security in its parking lot after the game.

In Texas, the family of a college freshman who died after he was attacked by a mob in a McDonald's parking lot was awarded damages in a lawsuit against McDonald's. The jury found that there was a history of violent fights in the parking lot, resulting in more than 200 police calls over the previous three years, and McDonald's should have done more to protect its patrons.

Workers' comp. If the company where you work owns a parking lot, and you're injured or assaulted in the lot, this could possibly be covered by workers' compensation, depending on the circumstances.