



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

檳城消費人協會 பினாங்கு பயனீட்டாளர் சங்கம்

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Press Statement

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PLUS duty of care for safety on its highways

Some accidents should not be happening on the highways, e.g. those resulting from foreign objects lying on the highways. However, such accidents happen when things fall off from vehicles (especially heavy vehicles) or retreaded tyres burst leaving chunks of rubber littering the highways.

Highway users pay a toll and PLUS has a duty of care to ensure they can travel safely and not crash into things lying on the driving lanes or animals crossing from one side to another.

To protect itself against claims, PLUS has insured itself and has an Insurance and claims management section.

When a claim is filed the claimant is sent a computer generated letter marked “confidential and without prejudice” turning down the claims with a standard, novel excuse that when the PLUSronda passed the area before the accident, there was nothing on the driving lane and that it is impossible to have PLUSRonda along the whole highway all the time to act immediately when something falls on the driving lanes. As such PLUS is not liable and is unable to pay any compensation.

CAP would like to remind PLUS that it has a duty of care to ensure that the highways are free from objects/ animals that vehicles could crash into and damage the vehicles or cause injuries to the occupants.

PLUS cannot absolve itself of liability by making the novel claim that the highway was clear when its PLUSRonda passed the area and it cannot give instant alerts of any danger on the highways.

It is to protect itself against such claims that Perodua has purchased insurance. Thus it is unethical for PLUS to turn down legitimate claims with the novel excuse stated above.

PLUSRonda’s work to clear the highway of any obstacles that could endanger traffic is to mitigate the number of insurance claims, not to deny insurance claims.

PLUS should stop its unethical practice of rejecting insurance claims on the untenable excuse that it cannot station PLUSRonda along the whole highway at all times to immediately remove any objects that endanger traffic.

Rather, PLUS should act in a gentlemanly manner and approve all genuine claims arising from collisions with objects in the driving lanes.

We call upon PLUS to practice good business ethics, stop rejecting claims with the standard, novel excuse that it cannot humanly keep the highways clear of objects at all times, and approve genuine claims without hassle.

It is precisely because PLUSRonda cannot keep the highway free of objects at all times that there is need for insurance to compensate the unfortunate highway users who crash into objects on the driving lanes.

So it is not right for PLUS to reject claims on the flimsy excuse that it cannot keep the highways free of obstacles at all times and is therefore not liable for accidents caused by the obstacles.

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