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Doe v. Lyft

2020 IL App (1st) 191328

Last week, in Doe v. Lyft, the First District Illinois appellate court held that the popular ride-sharing company is not a common carrier and is therefore exempted from the heightened duty of care that applies to common carriers in Illinois. The plaintiff, Jane Doe, hailed a ride after an evening out with friends using her Lyft app. The app matched her with a Lyft driver, who picked her up and later sexually assaulted her. She sued Lyft and others, alleging Lyft was vicariously liable for the intentional torts of the driver. The trial court dismissed her vicarious liability claim, holding Lyft was a “transportation network company” (TNC) under the Illinois Transportation Network Providers Act, and that under section 25(e) of the Act, TNCs are not common carriers. The court dismissed Doe’s vicarious liability claim, and certified two questions: (1) whether Section 25(e) of the Act precluded TNCs such as Lyft from being held to the standard of a common carrier; and (2) whether the Act is constitutional.

The appellate court affirmed, holding the Act clearly exempts TNCs from the standards of liability that apply to common carriers under common law. In addition, the majority found the Act constitutional. The court found the Act did not violate the special legislation clause of the state constitution, concluding that there was a rational basis for the legislature to distinguish between TNCs and traditional taxicab competitors. The dissent agreed with the majority that TNCs were exempted from vicarious liability under the Act, but found no rational basis to treat TNCs differently than any other entity that would fall within the definition of a common carrier.



For more information on this opinion or if you have questions, please feel free to contact Jeff Siderius at 312-332-8495 or by email at jas@crayhuber.com.