

Tire Shop Owner Used Due Diligence to Prevent 'Bizarre' Injury



A tire repair worker ordered the driver of a semi-truck with a flat tire to inch his vehicle forward on the platform, not realizing that his co-worker was underneath jacking up the front wheels. The Crown claimed that the shop owner didn't take 'reasonably practicable' measures to protect the victim but the court bought the owner's due diligence defence and tossed the charge. Both workers were experienced and properly trained and the owner had clear lockout procedures. The incident was the result of a series of errors, miscommunications and terrible bad luck that were too bizarre to reasonably foresee, the court reasoned [[R v. Kal Tire](#), 2017 ABPC 246 (CanLII), Sept. 28, 2017].