

Tesla sued over 2018 fatal crash

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The suit alleges the Tesla battery was inadequately protected, making the vehicle defective

Tesla was sued Tuesday by the family of a passenger killed in a 2018 crash which they allege was due to a defective car battery, attorneys said.

Tesla has come under scrutiny, and faced multiple lawsuits, for other

crashes involving its high-tech cars, but those largely have involved issues with the Autopilot semi-autonomous driving feature.

Chicago law firm Corboy & Demetrio filed a product liability and negligence suit against the automaker over the death of Edgar Monserratt Martinez in the May 2018 crash in Florida.

Witnesses told investigators the driver, Barrett Riley, who also was killed, lost control of the vehicle while trying to pass another car. The vehicle then crossed a sidewalk and hit a wall, erupting in flames, according to the National Transportation Safety Board.

The suit alleges the Tesla battery was inadequately protected, making the vehicle defective.

"The Tesla S battery was prone to extremely intense fires incapable of being timely extinguished," Philip Corboy Jr, a partner at the firm, said in a statement.

The car was traveling 116 miles per hour (186 kilometers per hour) shortly before the accident, according to a NTSB preliminary investigation report in June 2018.

A Tesla spokesperson said "our thoughts continue to be with the families affected by this tragedy. Unfortunately, no car could have withstood a high-speed crash of this kind."

The lawsuit states that Riley's family had installed equipment to prevent the car from riding more than 85 miles per hour but the device was removed at another Tesla service center without the family's knowledge.

Tesla's Speed Limit Mode, allowing car owners to limit speed, "was introduced as an over-the-air update last year in dedication to our

customer's son, Barrett Riley, who tragically passed away in the accident," the company spokesperson said.

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