

The Virgin Islands Consortium

Truck Driver Severely Injured by Forklift, Files Negligence Suit Against VIPA

Carlos Otero Torres says he suffered “serious, severe, disabling and permanent” injuries to his ankle and leg after a forklift ran over him at the Virgin Islands Port Authority's Gallows Bay facility, prompting his negligence lawsuit against VIPA.

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The Gallows Bay Marine Facility on St. Croix. By. V.I. CONSORTIUM.

A lawsuit filed against the Virgin Islands Port Authority alleges negligence on the part of VIPA in a 2023 incident in which a forklift reportedly struck and severely injured a truck driver at Gallows Bay, St. Croix.

According to court documents, Carlos Otero Torres, a truck driver employed by Vivot Equipment Corporation, says that he was at the VIPA facility in Gallows Bay on April 25, 2023, to pick up cargo from a ship berthed at the dock.

After performing preliminary administrative work, Mr. Torres said he began walking around in an attempt to identify the cargo he was supposed to be transporting. In doing so, he reportedly spotted another truck that was reversing out of its parking space, having just loaded up its own cargo. Mr. Torres stopped to assist the other driver in reversing, as according to the civil complaint, he intended to park his truck in the same spot.

While he was helping the other driver navigate, Mr. Torres claims that a forklift “negligently, carelessly, and recklessly” ran into him, its tire running over its left heel and leg “causing excruciating pain and injury.”

An ambulance was called and Mr. Torres was transported to the Juan F. Luis hospital where he received confirmation of “serious, severe, disabling and permanent” injuries to his ankle and lower leg, the lawsuit says.

The injuries, Mr. Torres claims, left him unable to work for months. Even after returning to work in November 2023, he requires ongoing medical care and is unable “to function at the level Plaintiff performed prior to the accident,” the lawsuit alleges.

VIPA is liable for damages, the civil complaint argues, because the agency “failed to maintain its premises with the necessary safety protocols and signage in place to protect against the sort of harm suffered by Plaintiff.” VIPA also did not ensure that the forklift operator was sufficiently trained and experienced enough to safely operate the vehicle, the lawsuit claims.

The complaint, which was filed on April 24, has not yet received a legal response from VIPA as of press time.