

Who Is Responsible for Injuries Received in a Bus Accident?

Article By:

Richard P. Console, Jr.

Bus accidents, although not the most common type of accident, have the potential to cause massive carnage. Unlike almost every other kind of vehicle, the occupants of buses are not required to wear safety belts. Thus, when a bus accident occurs, bus passengers get tossed around the interior of the bus, often sustaining very serious injuries.

While the number of bus accidents has gone down over recent decades, there are still hundreds of people killed in bus accidents across the country each year. According to the most recent data compiled by the [Federal Motor Carrier Safety Administration, in 2017](#), more than 270 people lost their lives in bus accidents, and another 25,000 were seriously injured.

Types of Bus Accidents

All bus operators have a duty to operate the vehicle safely and to follow all posted traffic signs and laws. However, when it comes to determining who is responsible following a bus accident, one of the most determinative factors is what kind of bus was involved in the accident.

Public Transportation Bus Accidents:

Public transportation bus accidents are the most common type of bus accident. However, depending on state law, a claim against a public transit entity may run into complex legal doctrines such as governmental immunity. For example, if a state considers the public transit agency to be a government entity, the government may not be liable for the accident victim's injuries unless there is a specific statute that provides for liability. That said, many states allow for injured passengers to file a claim after a public transit bus accident; however, the state law may limit the amount of available damages in these claims.

Commercial Bus Line Accidents:

Commercial bus lines, such as Megabus, Peter Pan, Bolt Bus, Greyhound and Trailways, are all considered common carriers. A common carrier is a public or private entity that transports a person for a fee. Thus, common carriers owe passengers the highest duty of care to ensure their safety, and a common carrier's duty to a passenger cannot be delegated. Unlike public transit agencies, commercial bus lines are not considered government agencies. Most commercial bus accidents are

the result of a driver's negligence. If someone is injured on a commercially operated bus, they can pursue a personal injury claim against the bus line.

School Bus Accidents:

The third major type of bus accident is a school bus accident. Each year, dozens of children are killed and thousands more seriously injured in school bus accidents. The ability of an accident victim to pursue a claim against a school bus driver or company will depend on whether the school district or some other government entity owns the school bus and is responsible for hiring the driver. In some states, school buses are run by privately held companies, eliminating the possibility of government immunity. However, accident victims may run into immunity issues if the school district operates the school bus.

Accidents Caused by Other Motorists:

Of course, not every bus accident is due to the negligence of the bus driver. In some situations, another motorist causes a bus accident. In these cases, anyone injured in the bus accident can pursue a claim against the at-fault motorist. However, accident victims may run into issues if several other people were injured in the collision, because the at-fault driver's insurance policy will only provide coverage up to the policy limit. In these situations, a bus accident victim may be able to pursue a claim with their own insurance company or the bus operator's insurance carrier.

© 2025 by Console and Associates. All rights reserved.

National Law Review, Volume X, Number 288

Source URL: <https://natlawreview.com/article/who-responsible-injuries-received-bus-accident>