

Ofo added to lawsuit in 11-year-old's death



An 11-year-old boy collides head-on with a tourist bus as he riding on the wrong side of the road in Shanghai's central Tiantong Road on March 26. [File Photo]

The family of an 11-year-old boy who died while racing friends as he rode an Ofo bike in Shanghai have included the bike-sharing company in a lawsuit against those involved in the crash.

The boy, who has not been identified, collided head-on with a tourist bus as he rode on the wrong side of the road in the city's central Tiantong Road on March 26. He died at a hospital shortly after the crash.

His parents originally filed their lawsuit against the bus driver and Shanghai Hongmao Auto Rental, which owns the vehicle. By adding Ofo to the list of plaintiffs, the suit has become the first litigation in China against a bike-sharing company over an accident.

Zhang Qianlin, the plaintiff's attorney, said on Monday the couple were demanding total compensation of 8.78 million yuan (US\$1.3 million) and that Ofo immediately install smart locks on all its bikes.

Older models operated by the company have mechanical locks, which require a four-digit combination, "but some users forget to scramble the combination when they finish their journey, meaning they can be ridden for free", said Zhang, senior partner at DeBund Law Offices in Shanghai.

"Even if the lock is scrambled, techniques to unlock the bikes are widely circulated online and can be easily mastered by children," he added.

Chinese law forbids minors under 12 from riding bikes and tricycles on roads. Zhang said the boy's parents think the mechanical locks present a hidden danger because they make the bikes accessible to children.

The lawyer said despite media reports on juveniles racing shared bikes, resulting in injury and even death in some cases, Ofo has failed to update its equipment to block underage users.

"We're not only seeking civil compensation for the victim's death, but also want it to be litigation in the public interest," he said. "When shared bicycles become an important part of urban traffic, we want the bike operators to clarify their responsibility to prevent similar tragedies."

The fatal accident in March was the first in Shanghai involving a child under 12 on a shared bike. In June, a 13-year-old boy died in Zhengzhou, capital of Henan Province, while riding downhill on an Ofo bike.

Ofo declined to comment when contacted on Monday. However, in February, the company pledged to replace its mechanical locks to prevent illegal use by children after Shanghai traffic and education authorities called for improved safety.

The case is scheduled to be heard at Shanghai Jing'an district court next month, according to court spokesman Li Hongguang.

Public opinion was mixed online. Some said poor parental supervision was the main culprit in the accident. Others said shared bike services are closely linked to public safety, so the company must make sure their products are safe and have no obvious flaws.