

NEWS & INSIGHTS

AI-driven Safety Defense Part 3: Training

BY: [DOUGLAS B. MARCELLO](#) | [INSIGHTS](#) | [ARTICLE](#)

NOVEMBER 20, 2025



This is the third part in a series of articles detailing how AI can help defense cases in trucking. Click to read [Part 1](#) and [Part 2](#).

Carriers need to deploy artificial intelligence to create individualized driver training programs that generate litigation-proof drivers — potentially neutralizing one of plaintiff attorneys' most effective negligence claims.

Why It Matters

Negligent training claims have become a cornerstone of plaintiff litigation strategy, with experts routinely testifying that “one-size-fits-all” programs are inadequate and that drivers “clearly needed more training.”

- **The old playbook:** Generic training programs with minimal documentation leave carriers vulnerable to hindsight-driven attacks.
- **The new defense:** AI-powered systems create individualized training plans that produce results with comprehensive audit trails that demonstrate proactive, reasonable care.

The Big Picture

Traditional training programs create defensive weaknesses that plaintiff attorneys exploit:

- “Checked-box compliance” rather than meaningful skill development
- No documentation of training effectiveness or individual progress
- Generic content that doesn’t address specific driver needs
- Lack of remediation tracking when deficiencies are identified

The plaintiff expert’s typical testimony: *“This driver clearly needed more training in this specific area. A responsible carrier would have identified this deficiency and provided additional instruction.”*

How AI Changes the Game

AI technology implements a three-phase approach that begins at hire and continues throughout employment:

1. Initial Assessment

- AI analyzes driver records, experience, and background to identify skill gaps
- Customized onboarding programs target individual deficiencies
- Baseline competency established before road authorization
- Documentation begins on day one with timestamped records

2. Remedial Training

- Pattern recognition in performance data highlights specific skill gaps
- Targeted modules address exact deficiencies (backing, speed management, hours compliance)

- Progress tracking monitors completion, comprehension, and improvement
- Competency verification required before sign-off

3. Ongoing Determination

- Continuous monitoring triggers training based on:
 - Safety incidents or violations
 - Customer complaints
 - Telematics alerts
 - Equipment changes
 - Seasonal conditions
- Predictive analytics recommend training before incidents occur

Documented Results

With AI training, here is what gets documented for litigation defense:

- Timestamp for every training event and assignment
- Reason for training assignment (incident, proactive, seasonal)
- Time spent on each module (proving engagement)
- Assessment scores (demonstrating comprehension)
- Attempts required (showing persistence and mastery)
- Completion status and competency certification

The Adaptive Advantage

AI-powered training adjusts to individual learning patterns in real-time:

- Difficulty scales based on driver performance (struggling drivers get additional explanation and examples)
- Pacing adapts to learning speed (fast learners advance; others receive more time and support)
- Repetition optimizes key concepts until mastered
- Format varies based on learning style (video, interactive scenarios, reading materials)
- Mastery required before advancement (cannot skip ahead without demonstrating competency)

Case Study: Defense in Action

Illustrative scenario: Driver involved in a backing accident. Plaintiff claims inadequate training on backing procedures.

What AI documentation showed:

- Six hours of backing-specific training during initial onboarding
- Competency assessment passed with 92% score
- Refresher training completed eight months before the accident
- Total of 14 hours backing-specific training (above industry average)
- Two separate supervisor observations with documented certifications

The outcome: The plaintiff's expert can not identify any training deficiencies. Complete documentation defeated the negligent training claim.

The Proactive Defense That is Developed

The comprehensive documentation shifts courtroom dynamics:

- **Objective vs. subjective:** Data-driven training records counter expert opinions based on limited, anecdotal subjective opinions
- **Proactive vs. reactive:** Timestamped records prove continuous skill development, not post-accident justification
- **Individualized vs. generic:** Custom programs defeat "one-size-fits-all" criticism
- **Complete vs. incomplete:** No documentation gaps that create exposure to plaintiff challenges

Projected Outcomes

- Plaintiff attorneys adjusting strategies when faced with comprehensive training records
- Early case results showing faster resolution and reduced settlement demands
- Technology vendors racing to develop litigation-focused features and reporting
- Insurance carriers considering AI training documentation

The Bottom Line

AI-driven training transforms the weakest link in trucking defense into a strength. By creating individualized programs with comprehensive documentation, carriers can prove they provided training that met or exceeded industry standards — neutralizing plaintiff experts' subjective opinions with objective evidence.

The question for carriers isn't whether AI training works for defense. The question is whether they can afford to face the next lawsuit without it.

If you have any questions about AI-based training modules and procedures for trucking, [please contact me](#) at any time.

Related People

[Douglas B. Marcello](#)

Related Services and Industries

[Trucking and Commercial Transportation](#)