# Bond Case Briefs

*Municipal Finance Law Since 1971*

---

**IMMUNITY - OHIO**

## Baker v. Wayne Cty.

**Supreme Court of Ohio - April 19, 2016 - N.E.3d - 2016 WL 1592921 - 2016 -Ohio- 1566**

Administrators of motorist's estate filed wrongful death action against county arising out of fatal accident on county road, in which motorist's right tires left the road over an edge drop at limit of pavement, causing motorist to overcorrect and ultimately resulting in crash.

The Court of Common Pleas entered summary judgment for county on grounds of immunity, and administrators appealed. The Court of Appeals reversed and remanded. County appealed.

The Supreme Court of Ohio held that:

- Definition of "public road" provided in statutory chapter on political subdivision tort liability is the exclusive definition of public road for purposes of determining applicability of exception to sovereign immunity for negligent failure to keep public roads in repair, and
- Edge drop of between four and five inches at limit of paved roadway was not part of a "public road," and thus exception to sovereign immunity for negligent failure to keep public roads in repair did not apply to instant action.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com