

Bond Case Briefs

Municipal Finance Law Since 1971

LIABILITY - ALABAMA

Ex Parte City of Birmingham

Supreme Court of Alabama - September 19, 2025 - So.3d - 2025 WL 2680098

Motorist who suffered injuries in collision on interstate highway brought action against city, asserting claims of negligence, wantonness/recklessness, and negligent/wanton hiring, training, supervision and/or retention, which claims stemmed from allegation that city failed to maintain working streetlights at the collision site.

After granting city's motion to dismiss the wantonness/recklessness claim, the Circuit Court denied city's motion for summary judgment. City petitioned for writ of mandamus, and motorist conceded in his answer to the petition that the claim for negligent hiring, training, supervision, and/or retention was due to be dismissed.

The Supreme Court held that, as is relevant to statute governing municipal liability for negligence, when a municipality chooses to provide for the public health, safety, and general welfare of its citizenry by voluntarily assuming the responsibility of maintaining the streetlights on an interstate highway, it does not impose upon itself a legal duty of care to an individual who is allegedly injured as the result of inoperable streetlights.