

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **TRANSPORTATION - CONNECTICUT**

### **Stotler v. Department of Transp.**

**Supreme Court of Connecticut - August 19, 2014 - A.3d - 313 Conn. 158**

Motorist's estate brought action against Department of Transportation under highway defect statute. The Superior Court denied Department's motion to dismiss and motion for summary judgment. Department appealed. The Appellate Court reversed and remanded. Motorist's estate petitioned for further review.

The Supreme Court of Connecticut held that:

- The plan of design providing for a steep downhill grade of the highway, in combination with the absence of adequate warning signs and tangible safety measures, did not render highway defective within the scope of the state highway defect statute;
- Any deficient conduct by the Department regarding the training of its employees, the inspection and maintenance of the roadway, and the adherence to proper procedures, did not render highway defective within the scope of the state highway defect statute; and
- The Department's decision to adopt a plan for the construction of highway across mountain, and its decision regarding the safety measures necessary to ensure the safety of motorists thereon, were not subject to collateral review.