

Bond Case Briefs

Municipal Finance Law Since 1971

LIABILITY - GEORGIA

Metropolitan Atlanta Rapid Transit Authority v. Morris

Court of Appeals of Georgia - November 16, 2015 - S.E.2d - 2015 WL 7162182

Motorists brought action against city transit authority, alleging that it was vicariously liable for negligence of unidentified bus driver who struck their vehicle. Following a trial in the trial court, jury returned a verdict for motorists. Transit authority appealed.

The Court of Appeals held that:

- Transit authority waived its challenge, on appeal, to admission of motorist's hearsay statement;
- Evidence supported finding that driver was a city transit authority employee acting in the scope of his employment at time he struck vehicle, as required to hold transit authority vicariously liable;
- Evidence supported finding that driver was negligent in striking motorists' vehicle, as required to hold transit authority vicariously liable; and
- Jury instruction on apportionment of liability was not warranted.