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Metropolitan Atlanta Rapid Transit Authority v. Ingram

Court of Appeals of Georgia - June 25, 2021 - S.E.2d - 2021 WL 2621448

Passenger in vehicle that collided with metropolitan transit authority bus brought negligence action against transit authority and bus driver.

Transit authority and bus driver moved to dismiss or, in the alternative, to transfer venue pursuant to Metropolitan Atlanta Rapid Transit Authority (MARTA) Act. The State Court denied motion. Court of Appeals granted motion for interlocutory review brought by transit authority and bus driver.

The Court of Appeals held that transit authority and bus driver were joint tortfeasors.

Metropolitan transit authority and driver of transit authority bus were “joint tortfeasors,” and thus provision of Georgia Constitution that indicated that suits against joint tortfeasors residing in different counties could be tried in either county, and not provision of Metropolitan Atlanta Transit Authority Act (MARTA) that required that any action to enforce suit against transit authority be brought in particular county, applied in action brought by passenger of vehicle that collided with bus against transit authority and bus driver; driver was employee of transit authority acting within scope of employment at time of collision.