

Bond Case Briefs

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LIABILITY - OKLAHOMA

Ullman v. Oklahoma Highway Patrol

Supreme Court of Oklahoma - October 17, 2023 - P.3d - 2023 WL 6818220 - 2023 OK 100

Personal watercraft riders who were injured when a boat operated by a trooper with the Oklahoma Highway Patrol (OHP) collided with them brought action against OHP for negligence and respondeat superior.

The District Court granted OHP's motion to dismiss and denied riders' motion for a new trial. Riders appealed.

The Supreme Court held that letter asking OHP to preserve evidence relating the accident did not substantially comply with notice of claim requirements in the Governmental Tort Claims Act, and thus did not trigger time limits for filing suit under the Act.

Letter sent by attorney asking Oklahoma Highway Patrol (OHP) to preserve any evidence relating to accident that occurred when boat operated by OHP officer collided with personal watercraft, injuring riders, did not substantially comply with notice provisions of the Governmental Tort Claims Act, and thus did not trigger Act's time limits for filing suit against OHP for negligence and respondeat superior; letter was not addressed or sent to Oklahoma Office of Management & Enterprise Services (OMES) and stated that a claim might be made, but that evidence must be preserved to make such an evaluation, and letter did not state the name of the officer who allegedly caused the accident, or provide details about healthcare providers or injuries sustained, other than to generally list some of them.