

Bond Case Briefs

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Mayor of Baltimore v. Wallace

Appellate Court of Maryland - February 1, 2024 - A.3d - 2024 WL 378084

Bicyclist, who was ejected from her bicycle when wheel of her bicycle became stuck in a gap between the granite bulkhead and brick pavers in public pedestrian walkway and shared use bicycle path, brought negligence action against city, alleging that city breached its duties to her by negligently causing, allowing to remain, and failing to warn her of a dangerous and defective condition on the premises, of which city had actual and/or constructive knowledge.

The Circuit Court entered judgment on jury verdict for bicyclist, and city appealed.

The Appellate Court held that:

- Pedestrian walkway and shared use bicycle path did not serve as a property, park or land that was made available for recreational purposes for purposes of determining if Maryland Recreational Use Statute (MRUS) applied, and
- MRUS did not apply, and thus, it did not override city's common law duty of care.