



## Burr Alert: Court Rejects Vicarious Liability Under Georgia Boating Law

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The State Court of Dekalb County, Georgia recently held that companies operating in the boat rental business cannot be held vicariously liable for the negligent acts of their rental customers. *Carol Morris v. Yaaqov Avihassira, et al.*, Civil Action File No. 11A-39187-4 (Order dated 7/31/14). In the first case to interpret Georgia's vicarious liability boating law in the rental context, O.C.G.A. §§ 51-1-21 and 51-1-22, the Court held that a boat rental company may only be held liable for the actions of a renter in the same way that a motor vehicle rental company may be held liable.

The plaintiff in this case was injured when the operator of a rented vessel struck her boat causing the plaintiff to fall into the water and injure her leg. The operator of the offending vessel rented his boat from a watercraft rental business on Lake Lanier. After her injury, the plaintiff filed a lawsuit against the operator of the boat for negligence and against the rental company alleging, among other claims, vicarious liability under O.C.G.A § 51-1-22.

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