

DEPARTMENT OF JUSTICE

STATE OF NEBRASKA

ROBERT M. SPIRE
Attorney General

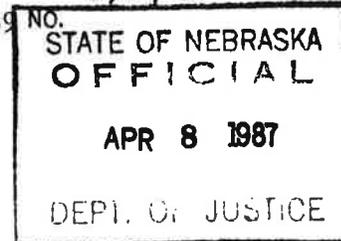
A. EUGENE CRUMP
Deputy Attorney General

WARREN D. LICHTY, JR.
Assistant Attorney General
Chief Counsel
Department of Roads

State Highway Building
P.O. Box 94759
Lincoln, Nebraska 68509-4759
Telephone (402) 479-4611

ASSISTANT ATTORNEYS
GENERAL

GARY R. WELCH
JOHN P. REGAN
ROBERT G. AVEY
JOHN E. BROWN
WILLIAM J. ORESTER
JEFFERY T. SCHROEDER



DATE: April 3, 1987

SUBJECT: County's liability in collision with
county bridge.

REQUESTED BY: Robert H. Connor, Saline County Attorney.

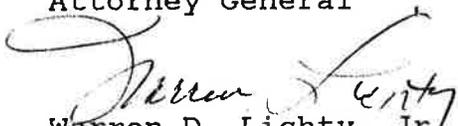
OPINION BY: Robert M. Spire, Attorney General; Warren
D. Lichty, Jr., Assistant Attorney General

You have inquired as to the county's liability if a driver strikes concrete or other permanent end posts on a county road bridge. There are specific criteria set forth in the Standards of the American Association of State Highway and Transportation Officials for guardrails leading up to such end posts. Such guardrails, in effect, direct a vehicle away from such end posts so that a head-on collision will not occur.

It is our opinion that proper emplacement and proper maintenance of such guardrails will protect the county from liability in the event of a collision with the bridge end posts.

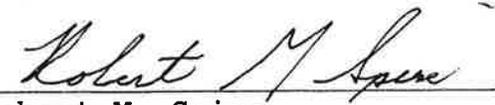
Very truly yours,

ROBERT M. SPIRE
Attorney General


Warren D. Lichty, Jr.
Assistant Attorney General

WDL/ta

Approved:


Robert M. Spire
Attorney General