

SUPREME COURT OF UTAH

Young ex rel. Young v. Salt Lake City School District

52 P.3d 1230 (Utah 2002) · No. No. 20001144 · Decided July 19, 2002

SUMMARY

The Utah Supreme Court affirmed summary judgment for the Salt Lake City School District in a negligence action arising from a student's bicycle accident while traveling to a mandatory parent-teacher-student conference. The majority held that the District owed no common-law duty because it lacked custody of the student and therefore had no special relationship with him at the time of the accident. It also held that the cited administrative regulation created no private right of action and that the statutory duties concerning crossing guards and warning lights applied only to entities authorized to enact traffic laws; Chief Justice Durham dissented.

CASE DETAILS

COURT	Supreme Court of Utah
WRITING FOR THE COURT	Durrant, Associate Chief Justice; Howe, Justice; Russon, Justice; Wilkins, Justice; Durham, Chief Justice
JURISDICTION	Utah
DECIDED	July 19, 2002
DOCKET	No. 20001144
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a grant of summary judgment in favor of the Salt Lake City School District in a negligence action arising from a student's bicycle accident near an elementary school.
STANDARD OF REVIEW	Summary judgment is reviewed for correctness. Summary judgment is proper when no genuine issue of material fact exists and the moving party is entitled to judgment as a matter of law. Statutory language is initially examined under its plain meaning.
PRECEDENTIAL VALUE	Published Utah Supreme Court opinion; precedential.
PARTIES	Eric T. Young, a minor, by and through Priscilla Young, his general guardian and guardian-ad-litem, Priscilla Young, individually v. Salt Lake City School District, John Does 1-20

TOPICS

negligence

duty of care

statutory interpretation

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the Salt Lake City School District owed Young a common-law duty based on a special relationship while he was traveling to a mandatory school conference after school hours.
2. Whether Utah Administrative Code rule R920-5-2(A)(3) created a private cause of action or regulatory duty requiring the District to report dangerous parking conditions near the crosswalk.
3. Whether Utah Code section 41-6-20.1(3) imposed statutory duties on the District to provide a crossing guard and flashing warning lights.

HOLDINGS

1. The District owed Young no affirmative common-law duty to report dangerous conditions, request a crossing guard, or provide flashing warning lights because it lacked custody of Young and therefore had no special relationship with him at the time of the accident.
2. Utah Administrative Code rule R920-5-2(A)(3) does not create a private cause of action against a school district for failing to report known dangerous parking conditions.
3. Utah Code section 41-6-20.1(3) imposed no duty on the District to provide a crossing guard or flashing warning lights because the District was not a statutory 'local authority.'

KEY QUOTATIONS

“We affirm, concluding that the District owed Young (1) no common law duties because it lacked a special relationship with him at the time of the accident, (2) no regulatory duties because rule 920-5-2(A)(3) of Utah's Administrative Code does not create a private cause of action, and (3) no statutory duties because the plain language of subsection 41-6-20.1(3) of the Utah Code applies only to entities that have the authority to enact traffic laws.” (52 P.3d at 1231)

“Given that the District did not have custody of Young at the time he suffered his injury, it lacked a special relationship with him at that time.” (52 P.3d at 1234)

“Accordingly, the plain language of subsection 41-6-20.1(3) of the Utah Code imposes no statutory duties on the District.” (52 P.3d at 1236)

FACTUAL BACKGROUND

Eric Young, an elementary school student, was injured when a car struck him while he was riding his bicycle across a crosswalk opposite Dilworth Elementary School. He was traveling to a mandatory parent-teacher-student conference after the school day had ended and after he had been released to his parents' care. The crosswalk was outside the District's control, and Salt Lake City was responsible for maintaining it and regulating

traffic there. Young alleged that the District knew of dangerous parking conditions and should have reported them or provided a crossing guard and flashing warning lights.

PROCEDURAL HISTORY

Young sued several parties after being struck by a car while traveling to a mandatory parent-teacher-student conference. He later amended his complaint to add the District and alleged that it failed to report dangerous parking conditions and failed to provide a crossing guard and flashing warning lights. The district court granted the District summary judgment, concluding that no duty existed concerning traffic signs and conditions near the crosswalk. The Utah Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Higgins v. Salt Lake County, 855 P.2d 231 (Utah 1993)
- Tustian v. Schriever, 2001 UT 84, ¶ 13, 34 P.3d 755
- State v. Casey, 2002 UT 29, ¶ 20, 44 P.3d 756
- Williams v. Melby, 699 P.2d 723 (Utah 1985)
- Lamarr v. Utah State Department of Transportation, 828 P.2d 535 (Utah Ct. App. 1992)
- Rollins v. Petersen, 813 P.2d 1156 (Utah 1991)
- Gilger v. Hernandez, 2000 UT 23, 997 P.2d 305
- Pratt v. Robinson, 39 N.Y.2d 554, 384 N.Y.S.2d 749, 349 N.E.2d 849 (1976)
- Norton v. Canandaigua City School District, 208 A.D.2d 282, 624 N.Y.S.2d 695 (N.Y. App. Div. 1995)
- Rife v. Long, 127 Idaho 841, 908 P.2d 143 (1995)
- Cannon v. University of Utah, 866 P.2d 586 (Utah Ct. App. 1993)
- Broadbent v. Board of Education of the Cache County School District, 910 P.2d 1274 (Utah Ct. App. 1996)
- Milliner v. Elmer Fox & Co., 529 P.2d 806 (Utah 1974)
- Wilson v. Valley Mental Health, 969 P.2d 416 (Utah 1998)
- Ferree v. State, 784 P.2d 149 (Utah 1989)
- Beach v. University of Utah, 726 P.2d 413 (Utah 1986)
- Isaacs v. Huntington Memorial Hospital, 38 Cal. 3d 112, 211 Cal. Rptr. 356, 695 P.2d 653 (1985)
- Sharp v. W.H. Moore, 118 Idaho 297, 796 P.2d 506 (1990)

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