

STRICT LIABILITY

Fedorova O. – *group UM-03*

Some activities - such as using dynamite and storing flammable liquids - are considered to be extremely dangerous. For people who engage in activities like these, the reasonable person standard does not apply. Instead, these people are automatically held liable for any injuries or damage caused by their actions. They are liable even if they took all possible care to prevent the damage.

This form of liability is known as strict liability - liability for dangerous actions that involve no negligence or bad intent. It is sometimes called liability without fault.

Keeping dangerous animals is one common activity for which people may be held strictly liable. Under tort law, there are two categories of dangerous animals. The first is wild animals; the second is domestic animals that are known to be dangerous.

If you keep a wild animal, such as a lion or tiger, you are strictly liable. Even if you've trained the animal and take special care to keep it from injuring people, you must pay for any injuries the animal causes.

Domestic animals, such as dogs and cats, are usually not considered dangerous. However, if you know that your pet is dangerous - for example, if the animal has already bitten or injured someone - you are strictly liable for any further injury the animal causes. This rule is sometimes expressed as "every dog is allowed one bite." After your pet has bitten one person, you are liable for all future bites.

Other forms of strict liability have been imposed by state laws. For example, most states have child labor laws that try to discourage employers from hiring minors (people under a certain age, usually 18). Some of these laws make an employer strictly liable for injuries to a minor on the job - even if the employer did not cause the injury or didn't know the employee was a minor.

Dram shop laws also impose strict liability. A bartender is strictly liable for auto accidents caused by drunken customers even though he or she may be nowhere near the accident.

Pochatko T.V. – *EL Adviser*