



Washington Supreme Court Finds Airport May Be Liable for Tug Operators Injuries

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On January 31, 2013, the Washington Supreme Court found that the Port of Seattle may be liable for injuries sustained by a tug operator employed by a ground handling company. In *Afoa v. Port of Seattle*, the Washington Supreme Court found that the Port may be liable under alternate theories: that the Port owed a duty to the tug operator as a “business invitee,” that the Port violated an obligation under the Washington Industrial Safety and Health Act, and that the Port had a duty to maintain safe common areas of the airport. The court remanded the case back to the trial court, which had granted summary judgment for the Port. This case may have broad effects on airports because of the common law theories of tort liability adopted by the court.