

The City of Longview shall not be held liable for personal injury or for damage to real or personal property unless a notice is filed in writing and submitted to the Risk Management division within 90 days of the incident. This notice is required by the Texas Tort Claims Act (see page 2 for more information).

To file a claim, complete the form below and submit all applicable documents (police report, photos, etc.) by:

Email – hr@longviewtexas.gov

Mail – City of Longview Risk Management, PO Box 1952, Longview, TX 75606

First Name _____ Last Name _____

Street Address _____

City _____ State _____ Zip _____

Phone Number _____ Email Address _____

Incident Information

Date of Incident _____ Time _____

Location _____

Nature of damages or injuries _____

Incident Details _____

Witnesses (if applicable) _____

Signature _____ Date _____

*Acceptance of this claim form is not an admission of liability. Your claim will be thoroughly investigated and a determination will be forwarded to you upon completion. If the claim is accepted under the City's self-insurance agreement, your claim will be submitted to the Texas Municipal League Intergovernmental Risk Pool (TMLIRP).

The Texas Tort Claims Act

Enacted in 1969, the TTCA states that a governmental unit is liable for:

1. Property damage, personal injury and death proximately caused by the wrongful act or omission or the negligence of an employee acting within the scope of employment if:
 - a. The property damage, personal injury or death **arises from the operation or use of a motor-driven vehicle or motor-driven equipment**; and
 - b. The employee would be personally liable to the claimant according to Texas law; and
2. Personal injury and death so caused by a condition or use of tangible personal or real property if the governmental unit would, were it a private person, be liable to the claimant according to Texas Law

Texas Civil Practice & Remedies Code Chapter 101.021

Generally, local governments, municipalities and other political subdivisions of the state are immune from most liability under governmental immunity. As a governmental entity, some of the common issues the City has no liability for under the TTCA include, but are not limited to:

- Damage from driving through potholes
- Damage from sewer backups
- Damage from a water main break that is naturally occurring
- Damage from driving through road hazards/debris (e.g., rock bouncing off a truck, pothole, barricades, missing manhole lid)