

Judge rules Snapchat immune from distracted driver claim

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A judge has dismissed claims against Snapchat that blamed the social media company's "speed filter" for a highway crash. The judge said the Communications Decency Act provides the social media company with immunity.

Snapchat attorney Mark Trigg told The Associated Press Monday in an emailed statement that the "the judge's ruling in this case is precedent setting for the entire mobile app and product industry."

"A loss for Snapchat would have been dangerous, opening a floodgate of lawsuits for everyone from cell phone manufacturers to billboard advertisers to makeup brands—virtually anyone that can potentially cause a distraction from driving. Snapchat's win instead diverts blame from these companies and requires responsible use of these technologies by the driver," Trigg wrote.

Wentworth and Karen Maynard sued Snapchat and the driver, Christal McGee, in April, saying McGee was trying to reach 100 mph on a highway south of Atlanta when her car hit theirs, sending it across the left lane and into an embankment. The collision in September 2015 left Wentworth Maynard with brain damage.

The dismissal by Spalding County State Court Judge Josh Thacker on Friday leaves pending the claims against McGee, who allegedly hit them while using a Snapchat filter that puts the rate at which a vehicle is traveling over an image.

"We disagree with the Judge's ruling that the Communications Decency Act provides Snapchat with complete immunity for its negligent actions," Naveen Ramachandrapa, a lawyer for the Maynards, wrote in an email. He added that they are considering an appeal.

The judge found that the claims against Snapchat were barred by the immunity clause of the 1996 Communications Decency Act, which says, "No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider."

A key question is whether Snapchat had a legal duty because Wentworth's injury was predictable, given that other users are alleged to have had wrecks while using the speed filter, and therefore should have removed or restricted access to the filter once it found out about those crashes, the judge wrote.

That duty would stem from Snapchat's status as a publisher, and the law grants immunity on those grounds, the judge wrote.

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