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NOTES

Treadmill to Confusion — Ohio's Guest Statute

"We know not what we do when we speak words" — Shelly, Rosalind and Helen, Line 1108.

Cardozo once stated that one of the greatest causes for uncertainty in the law was the attempted distinction between cases where the facts presented no distinction in legal principles applicable.¹ The validity of the eminent jurist's assertion is borne out by an analysis of automobile guest law today. An examination of the various guest cases, so called, reveals a hodge-podge of anomalies, contradictions and misnomers. One Ohio judge voiced the sentiments of many when he remarked:

It is a day devoutly to be wished for when the courts of last resort will give us definitions which are understandable to the ordinary mind.²

This article will trace the background of Ohio's Guest Statute,³ survey the leading decisions, and offer suggestions in an attempt to clarify

¹ CARDOZO, *THE GROWTH OF LAW* 3 (1924)

² *Lockshin v. Greenberg*, 25 Ohio L. Abs. 284, 287 (Ct. App. 1937).

³ OHIO REV. CODE § 4515.02.