

Between November 15 and May 1, New York State and its municipalities (cities, counties, towns and villages) are exempt from liability for pothole damage....

During these winter months, drivers are responsible for fixing road- inflicted damage themselves. To establish negligence in a personal injury case related to winter weather road damage in New York, the responsible party must have owed a duty of care to the injured party. Suing a county for a pothole injury can be complicated due to prior written notice rules.