

361VI Construction and Operation

361VI(A) General Rules of Construction

361k187 Meaning of Language

361k188 k. In General. [Most Cited](#)

Cases

In construing statute, court first looks at its plain language.

[4] Products Liability 313A 11

313A Products Liability

313AI Scope in General

313AI(A) Products in General

313Ak11 k. Design. [Most Cited Cases](#)

Prior to adoption of Products Liability Act of 1987, risk/utility analysis determined whether or not product was defectively designed, or whether its design was fit for its intended purpose. [N.J.S.A. 2A:58C-1](#) to [2A:58C-7](#).

[5] Products Liability 313A 75.1

313A Products Liability

313AII Actions

313Ak75 Presumptions and Burden of Proof

313Ak75.1 k. In General. [Most Cited](#)

Cases

Under common law, it was plaintiff's burden in products liability action to prove that risk of product outweighed utility; that burden remains on plaintiff under Products Liability Act of 1987. [N.J.S.A. 2A:58C-3](#), subd. a(2).

[6] Products Liability 313A 11

313A Products Liability

313AI Scope in General

313AI(A) Products in General

313Ak11 k. Design. [Most Cited Cases](#)

Under Products Liability Act of 1987, product for which risk of harm created by product would be recognized by ordinary person, and which causes harm due to inherent characteristic of product, is by statutory definition, not defectively designed, and harm is not actionable. [N.J.S.A. 2A:58C-3](#), subd. a(2).

[7] Products Liability 313A 26

313A Products Liability

313AI Scope in General

313AI(A) Products in General

[313Ak26 k. Defenses in General; Limitation of Liability. \[Most Cited Cases\]\(#\)](#)

Products Liability 313A 82.1

313A Products Liability

313AII Actions

[313Ak82 Weight and Sufficiency of Evidence](#)

313Ak82.1 k. In General. [Most Cited](#)

Cases

Under provision of Products Liability Act of 1987 which establishes defense where risk of harm caused by product would be recognized by ordinary person in cases where harm stems from inherent characteristic of product, new, absolute defense is created, and defendant should bear burden of proving defense by preponderance of evidence. [N.J.S.A. 2A:58C-3](#), subd. a(2).

[8] Products Liability 313A 75.1

313A Products Liability

313AII Actions

313Ak75 Presumptions and Burden of Proof

313Ak75.1 k. In General. [Most Cited](#)

Cases

Under Products Liability Act of 1987, plaintiff bears burden of proving that product in question is workplace equipment or that danger arising from use of product could feasibly be eliminated without impairing usefulness of product, as will preclude use by manufacturer of absolute defense arising where risk of harm created by product would be recognized by ordinary person and harm is caused by inherent characteristic of product. [N.J.S.A. 2A:58C-3](#), subd. a(2).

[9] Products Liability 313A 11

313A Products Liability

313AI Scope in General