

House Amendment to
Senate File 449

S-5202

- 1 Amend Senate File 449, as passed by the Senate, as follows:
- 2 1. Page 1, after line 5 by inserting:
- 3 <a. The street or highway is classified as area service "B"
4 or area service "C" as described in section 309.57.>
- 5 2. Page 1, line 6, by striking <a.> and inserting <b.>
- 6 3. Page 1, line 9, by striking <b.> and inserting <c.>
- 7 4. Page 1, line 10, by striking <that terminates in a dead
8 end>
- 9 5. Page 1, line 11, by striking <c.> and inserting <d.>
- 10 6. Page 1, line 14, by striking <d.> and inserting <e.>
- 11 7. Page 1, line 17, by striking <described in paragraph "a">
12 and inserting <to which the street or highway exits>
- 13 8. Page 1, line 19, after <installed> by inserting <on the
14 street or highway>
- 15 9. Page 1, lines 20 and 21, by striking <described in
16 subsection 1> and inserting <to which the street or highway
17 exits>
- 18 10. Page 1, line 23, after <landowner> by inserting <and
19 each successive landowner>
- 20 11. Page 1, by striking lines 24 through 26 and inserting
21 <or maintain a fence along the street or highway between the
22 point at which the cattle guard is installed and the point at
23 which the street or highway terminates in a dead end. All of>
- 24 12. Page 1, line 31, by striking <"c"> and inserting <"c",>
- 25 13. Page 2, after line 2 by inserting:
- 26 <4. a. A landowner who installs a cattle guard pursuant to
27 this section and each successive landowner shall be liable for
28 injury to any person, for damage to any vehicle or equipment,
29 and for damage to the contents of any vehicle or equipment,
30 which occurs proximately as a result of the construction,
31 installation, or maintenance of the cattle guard or as a result
32 of livestock straying on to the street or highway between the
33 point at which the cattle guard is installed and the point at
34 which the street or highway terminates in a dead end.
- 35 b. Upon the installation of a cattle guard pursuant to

1 this section, and before July 1 of each year thereafter, the
2 landowner who installed the cattle guard or a successive
3 landowner shall submit to the appropriate county office of
4 the county having jurisdiction over the street or highway on
5 which the cattle guard is installed, as designated by the
6 county, proof of liability coverage in effect for the following
7 one-year period which covers any injury or loss arising from
8 the landowner's liability as set forth in paragraph "a".

9 c. This section shall not be construed to alter, limit, or
10 nullify the maintenance requirements assigned to a county, and
11 a county's liability relating to such maintenance requirements,
12 pursuant to section 309.57 for the street or highway on which
13 the cattle guard is installed.>

14 14. Page 2, line 3, by striking <4.> and inserting <5.>

15 15. Page 2, after line 11 by inserting:

16 <Sec. _____. Section 321.285, Code 2018, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 6A. Notwithstanding any other speed
19 restrictions, the speed limit for all vehicular traffic on a
20 street or highway on which a cattle guard is installed pursuant
21 to section 314.30 is fifteen miles per hour between the point
22 at which the cattle guard is installed and the point at which
23 the street or highway terminates in a dead end.>

24 16. By renumbering as necessary.