

House File 772

H-1389

- 1 Amend the amendment, H-1212, to House File 772, as follows:
- 2 1. Page 1, before line 2 by inserting:
- 3 <1. Page 1, line 3, by striking <In> and inserting <Subject
- 4 to subsection 4, in>>
- 5 2. Page 1, line 4, by striking <lines 10 and 11> and
- 6 inserting <line 10>
- 7 3. Page 1, after line 10 by inserting:
- 8 <___. Page 1, after line 28 by inserting:
- 9 <4. This section shall not apply if the civil action
- 10 involving a commercial motor vehicle arises from an incident
- 11 for which the employer's employee is convicted under section
- 12 321J.2 or violates 49 C.F.R. §392.4 or 49 C.F.R. §392.5.
- 13 5. As used in this section, unless the context otherwise
- 14 requires:
- 15 a. "Convicted" means convicted of an indictable offense and
- 16 includes a guilty plea or other finding of guilt by a court of
- 17 competent jurisdiction.
- 18 b. "Operation" means actual physical control of a commercial
- 19 motor vehicle upon a highway as defined in section 321.1.>
- 20 ___. Page 2, line 4, after <action> by inserting <involving
- 21 the operation of a commercial motor vehicle>>
- 22 4. Page 1, after line 11 by inserting:
- 23 <___. Page 2, after line 9 by inserting:
- 24 <3. This section shall not apply if the civil action
- 25 involving a commercial motor vehicle arises from an incident
- 26 for which the driver is convicted under section 321J.2 or
- 27 violates 49 C.F.R. §392.4 or 49 C.F.R. §392.5.
- 28 4. As used in this section, unless the context otherwise
- 29 requires:
- 30 a. "Convicted" means convicted of an indictable offense and
- 31 includes a guilty plea or other finding of guilt by a court of
- 32 competent jurisdiction.
- 33 b. "Operation" means actual physical control of a commercial
- 34 motor vehicle upon a highway as defined in section 321.1.>>
- 35 5. By renumbering as necessary.

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