

JAN 1 1975
Place On Calendar

HOUSE FILE 99

By COMMITTEE ON COUNTY GOVERNMENT

Passed House, Date 2-5-75 (p. 176) Passed Senate, Date 2-10-75 (p. 261)
Vote: Ayes 20 Nays 15 Vote: Ayes 35 Nays 12

Approved 5-12-75

Passed House per Conference Committee Report 4-28-75 (p. 1381) Passed Senate per Conference Report 4-29-75 (p. 1141)
69-6 36-11

A BILL FOR

1 An Act relating to temporary closing of highways.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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Conference Committee

*Representatives Galloos (Chair), Muddlowant, Barber, Kramer, Lindner 4/16 (1138)
Senators Scott (Chair), Kelly, Merritt, Telling, Taylor 4/10 (p. 291)*

1 Section 1. Section three hundred six point forty-one
2 (306.41), unnumbered paragraph one (1), Code 1975, is amended
3 to read as follows:

4 The agency having jurisdiction and control over any highway
5 in the state, or the chief engineer of said agency when
6 delegated by such agency, may temporarily close sections of
7 a highway by formal resolution entered upon the minutes of
8 such agency when reasonably necessary because of construction,
9 reconstruction, maintenance or natural disaster and shall
10 cause to be erected "~~road closed-enter-at-your-own-risk~~" signs
11 and partial or total barricades in the roadway at each end
12 of the closed highway section and on the closed highway where
13 that highway is intersected by other highways if such
14 intersection remains open. The agency having jurisdiction
15 over a section of highway closed in accordance with the
16 provisions of this section, or the persons or contractors
17 employed to carry out the construction, reconstruction, or
18 maintenance of the closed section of highway, shall not be
19 liable for any damages to any vehicle that enters the closed
20 section of highway or the contents of such vehicle or for
21 any injuries to any person that enters the closed section
22 of highway, unless the damages are caused by gross negligence
23 of the agency or contractor.

24 EXPLANATION

25 This bill removes the requirement that a "enter at your
26 own risk" sign be used in conjunction with a "road closed"
27 sign.
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REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 99

To the President of the Senate and the Speaker of the House
of Representatives:

We, the undersigned members of the conference committee
appointed to consider the differences between the Senate and
the House of Representatives on House File 99, a bill for an
Act relating to the temporary closing of highways, respectfully
make the following recommendations:

1. That the Senate recede from its amendment, S3077, to
House File 99.

2. That page 1, line 14, be amended by inserting after
the period the following:

"Any numbered road closed for over 48 hours shall have
a designated detour route."

On the part of the House:

Thomas J. Gilloon, Chairman
James I. Middleswart
Delwyn Stromer
Arnold R. Lindeen
Keith Baker

FILED
APRIL 24, 1975

On the part of the Senate:

Kenneth D. Scott, Chairman
Fred W. Nolting
Milo Merritt
Ray Taylor
E. Kevin Kelly

House adopted 4/28 (1320)
Senate adopted 4/29 (1140)

H-3026

1 Amend House File 99, page 1, by inserting after
2 the period in line 14 the following:
3 "Agencies or contractors doing construction, re-
4 construction, or maintenance on highways where a road
5 closed sign is erected shall also erect a separate
6 sign with letters not less than two inches in height
7 stating the following: 'No person shall be denied
8 access to his property'."

H-3026 FILED *Lester*
FEBRUARY 4, 1975

BY DANKER of Pottawattamie

SENATE AMENDMENT TO HOUSE FILE 99

H-3094

1 Amend House File 99, page 1, line 10, by
2 inserting after the word "signs" the words "and
3 'detour' signs".

*Spice refused to concur 2/17 (847)
Senate insists 4/1 (847)*

H-3094 RECEIVED FROM THE SENATE
FEBRUARY 12, 1975

S-3077

1 Amend House File 99, page 1, line 10, by
2 inserting after the word "signs" the words "and
3 'detour' signs".

S-3077 FILED AND ADOPTED
FEBRUARY 10, 1975

BY RAY TAYLOR

AN ACT
RELATING TO TEMPORARY CLOSING OF HIGHWAYS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section three hundred six point forty-one (306.41), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The agency having jurisdiction and control over any highway in the state, or the chief engineer of said agency when delegated by such agency, may temporarily close sections of a highway by formal resolution entered upon the minutes of such agency when reasonably necessary because of construction, reconstruction, maintenance or natural disaster and shall cause to be erected "road closed-enter-at-your-own-risk" signs and partial or total barricades in the roadway at each end of the closed highway section and on the closed highway where that highway is intersected by other highways if such intersection remains open. Any numbered road closed for over 48 hours shall have a designated detour route. The agency having jurisdiction over a section of highway closed in accordance with the provisions of this section, or the persons or contractors employed to carry out the construction, reconstruction, or maintenance of the closed section of highway, shall not be liable for any damages to any vehicle that enters the closed section of highway or the contents of such vehicle or for any injuries to any person that enters

the closed section of highway, unless the damages are caused by gross negligence of the agency or contractor.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 99, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved _____, 1975

ROBERT D. RAY
Governor