

JAN 3 1 2003

JUDICIARY

HOUSE FILE 106  
BY FREVERT

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for exceptions to municipal tort liability for  
2 claims arising from unicycling on public property.

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

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HF 106

1 Section 1. Section 670.4, subsections 14 and 15, Code  
2 2003, are amended to read as follows:

3 14. Any claim based upon or arising out of a claim of  
4 negligent design or specification, negligent adoption of  
5 design or specification, or negligent construction or  
6 reconstruction of a public facility designed for purposes of  
7 skateboarding, or in-line skating, or unicycling that was  
8 constructed or reconstructed in accordance with a generally  
9 recognized engineering or safety standard, criteria, or design  
10 theory in existence at the time of the construction or  
11 reconstruction.

12 15. Any claim based upon or arising out of an act or  
13 omission of an officer or employee of the municipality or the  
14 municipality's governing body by a person skateboarding, or  
15 in-line skating, or unicycling on public property when the  
16 person knew or reasonably should have known that the  
17 skateboarding, or in-line skating, or unicycling created a  
18 substantial risk of injury to the person and was voluntarily  
19 in the place of risk. The exemption from liability contained  
20 in this subsection shall only apply to claims for injuries or  
21 damage resulting from the risks inherent in the activities of  
22 skateboarding, or in-line skating, or unicycling.

23 EXPLANATION

24 This bill provides an exemption from liability regarding a  
25 municipality's negligent design, or negligent construction or  
26 reconstruction of a public facility designed for purposes of  
27 unicycling that was constructed or reconstructed in accordance  
28 with generally recognized engineering or safety standards.

29 The bill also provides an exemption from liability for  
30 municipalities relating to claims based upon acts or omissions  
31 of an officer or employee of the municipality by a person  
32 engaged in unicycling when the person knew or reasonably  
33 should have known that the unicycling created a substantial  
34 risk of injury and the person was acting voluntarily.

35 A municipality in Code chapter 670 is defined as a city,

1 county, township, school district, or other unit of local  
2 government.

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