

S.B. 50

DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS

Senator **John L. Valentine** proposes the following amendments:

1. *Page 1, Lines 14 through 20:*

14 { ~~→ provides that the Department of Transportation shall exercise reasonable care in~~
15 ~~designing, constructing, and maintaining a state highway in a reasonably safe~~
16 ~~condition for travel; }
17 ▶ provides that nothing in the Department of Transportation's defined responsibilities
18 shall be construed as {
19 • ~~creating a private right of action; or~~
20 • } expanding or changing the department's common law duty for liability purposes;~~

2. *Page 3, Lines 60 through 65:*

60 (2) { ~~(a) The department shall exercise reasonable care in designing, constructing, and~~
61 ~~maintaining a state highway in a reasonably safe condition for travel;~~
62 ~~(b) Nothing in this section shall be construed as:~~
63 ~~(i) creating a private right of action; or~~
64 ~~(ii) expanding or changing the department's common law duty as described in~~
65 ~~Subsection (2)(a) for liability purposes.} Nothing in this section shall be construed as expanding or
changing the department's common law duty of care for liability purposes.~~