

March 24, 2009

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1195

Page 1, line 9, remove the underscored colon

Page 1, line 10, replace "(1) The" with "the"

Page 1, line 12, replace "(2) Entrance" with "entrance"

Page 1, line 14, replace "(3) A" with "a" and replace "paragraph 1 or 2" with "this subdivision"

Page 1, line 15, after the underscored period insert "The term does not include the uniform intermodal interchange and facilities access agreement administered by the intermodal association of North America or any other agreement providing for the interchange, use, or possession of intermodal chassis, containers, or other intermodal equipment."

Page 1, line 21, after the first underscored comma insert "any portion of"

Page 2, line 2, after "unenforceable" insert "to the extent that the loss or damage:

- a. Occurs during the motor carrier's presence on the promisee's premises and is caused by or results from the negligent or intentional acts or omissions of the promisee; or
- b. Is caused by or results from defects of the equipment used to transport the promisee's property, unless the defects:
 - (1) Relate to equipment owned by the motor carrier or as to which the motor carrier has the responsibility to visually and audibly check before use; or
 - (2) Were caused by or resulted from the negligent or intentional acts or omissions of the motor carrier or the motor carrier's agency, employee, vendor, or subcontractor.
- 3. Under subsection 2, the motor carrier is responsible to visually and audibly check before use of equipment as listed in exhibit A of the uniform intermodal interchange and facilities access agreement that was in effect on November 4, 2008"

Renumber accordingly