

April 19, 2011

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2161

That the House recede from its amendments as printed on page 1151 of the Senate Journal and pages 1308 and 1309 of the House Journal and that Engrossed Senate Bill No. 2161 be amended as follows:

Page 1, line 17, remove the underscored colon

Page 1, line 18, replace "(1) Is" with "is"

Page 1, line 18, replace "naturally occurring hazard" with "condition"

Page 1, line 19, remove "; and"

Page 1, remove lines 20 through 23

Page 2, replace lines 1 through 4 with ", unless:

- (1) The political subdivision is served with written notice that is either in its possession or verified by receipt;
- (2) The condition is unusually hazardous or unusually dangerous, meaning, in the context of this subsection, it is so peculiarly dangerous there is a substantial risk that an individual exercising due care and driving within the limits of the law could not drive on that part of the congressional section line safely;
- (3) If the condition is naturally occurring, it has occurred or substantially worsened within thirty days before the written notice provided for in paragraph 1; and
- (4) The political subdivision either fails to take action to mitigate the condition or fails to order mitigation of the condition as provided for in subdivision c, or fails to provide warning that the congressional section line has a hazardous condition, as soon as is practicable, but not to exceed ten days after service of the notice."

Page 2, line 5, remove "paragraph 2 of"

Page 2, line 5, remove "creates a"

Page 2, line 6, replace "hazard by altering" with "causes or contributes to an unusually hazardous or unusually dangerous condition on"

Page 2, line 6, replace "is" with "may be"

Page 2, line 6, remove "any"

Page 2, line 6, remove "caused"

Page 2, line 7, remove "by the alteration"

Page 2, line 8, replace "seek" with "issue"

Page 2, line 8, replace "alters" with "causes or contributes to an unusually hazardous or unusually dangerous condition on"

Page 2, line 9, remove "restore the congressional section line to its original"

Page 2, line 10 replace "state" with "mitigate the condition"

Renumber accordingly