

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1055 be amended to read as follows:

- 1 Page 4, line 2, delete "Every" and insert "**Except as provided in**
- 2 **subsection (b), every**".
- 3 Page 4, between lines 9 and 10, begin a new paragraph and insert:
- 4 "**(b) Every engineer or other person in charge of or operating an**
- 5 **engine:**
- 6 **(1) who fails or neglects to comply with section 1 of this**
- 7 **chapter; and**
- 8 **(2) whose failure or neglect to comply with section 1 of this**
- 9 **chapter results in injury or damage to property;**
- 10 **shall be held personally liable to the state for a penalty of not less**
- 11 **than two hundred fifty dollars (\$250) nor more than five thousand**
- 12 **dollars (\$5,000). A penalty for which a person is liable under this**
- 13 **subsection may be recovered in a civil action brought by the state**
- 14 **in the circuit or superior court of the county in which the crossing**
- 15 **involved in the engineer's or other person's noncompliance with**
- 16 **section 1 of this chapter is located.**".

- 1 Page 4, line 10, delete "(b)" and insert "(c)".
- 2 Page 4, line 23, delete "(c)" and insert "(d)".
(Reference is to HB 1055 as printed February 20, 2009.)

Representative Thompson