

1999 ASSEMBLY BILL 220

March 16, 1999 – Introduced by Representatives SYKORA, AINSWORTH, GOETSCH, GROTHMAN, KEDZIE, MILLER, PETTIS, SERATTI, SKINDRUD and SPILLNER, cosponsored by Senators COWLES, A. LASEE and ZIEN. Referred to Committee on Judiciary and Personal Privacy.

1 **AN ACT to create** 893.80 (9) of the statutes; **relating to:** prohibiting lawsuits
2 against towns if the town's failure to respond to an emergency was caused by
3 the nonconforming condition of a private driveway or road.

Analysis by the Legislative Reference Bureau

This bill prohibits a person from bringing an action against a town or against the town's officials, employes or agents for the failure of the town's emergency vehicle to respond to an emergency because the emergency vehicle was unable to use a private road or driveway that failed to conform to the town's ordinance regarding the standards for a private road or driveway.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 893.80 (9) of the statutes is created to read:
5 893.80 **(9)** No person may commence an action against a town or against the
6 town's officials, employes or agents for damages resulting from the failure of the
7 town's emergency vehicle to respond to an emergency because the emergency vehicle

ASSEMBLY BILL 220

1 was unable to use a private road or driveway, as defined in s. 340.01 (46), because that
2 private road or driveway failed to conform to an ordinance or resolution enacted by
3 the town regarding the standards for private roads or driveways.

4 **SECTION 2. Initial applicability.**

5 (1). This act first applies to damages incurred on the effective date of this
6 subsection.

7 (END)