

2003 DRAFTING REQUEST**Senate Amendment (SA-SB223)**

Received: 10/31/2003

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Tim Carpenter (608) 266-8535

By/Representing: Stuart Ewy (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Courts - immunity liability
Courts - evidence
Transportation - traffic laws

Extra Copies: TNF, PJH, RPN

Submit via email: YES

Requester's email: Sen.Carpenter@legis.state.wi.us

Carbon copy (CC:) to: Stuart.Ewy@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Limiting liability reduction and allowing evidence related to damages arising from failure to wear helmet operating motorcycle, ATV, or snowmobile

Instructions:

Wants to make it a reduction like what is done for seatbelts

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	agary 10/31/2003	kgilfoy 10/31/2003	jfrantze 10/31/2003	_____	sbasford 10/31/2003	sbasford 10/31/2003	

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/1	agary	1-10/31 KMP	10/31	Self 10/31			

FE Sent For:

<END>

TODAY

ARG:....
mg

**SENATE AMENDMENT,
TO 2003 SENATE BILL 223**

D-note

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 3: after "895.045," insert "in any civil action,".

3 ✓ 2. Page 2, line 6: after "not" insert ", with respect to injuries or damages
4 determined to have been caused by such failure,".

5 ✓ 3. Page 2, line 7: delete "for injuries or damages".

6 ✓ 4. Page 2, line 7: delete the material beginning with "in" and ending with "(1)"
7 on line 9 and substitute "for such injuries or damages by more than 15%". This section
8 does not affect the determination of causal negligence in the action. percent
AA

9 ✓ 5. Page 3, line 3: delete the material beginning with ", other" and ending with
10 "(1)," on line 4.

11 ✓ 6. Page 3, line 6: delete "not".

1 ✓7. Page 3, line 7: after “damage” insert “resulting from the use or operation of
2 the motorcycle, all-terrain vehicle, or snowmobile, subject to s. 895.049”.

3 ✓8. Page 3, line 7: delete the material beginning with “This” and ending with
4 “person.” on line 13.

5

(END)

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1634/1dn

ARG: King

ATTN: Stuart

As discussed, the attached amendment revises SB-223 to make it as similar as possible to the analogous seat belt provision in existing law (which appears as s. 347.48 (2m) (g)). Please let me know if you would like any changes to the amendment.

A handwritten signature, possibly 'e', with an arrow pointing to the word 'Please' in the paragraph above.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1634/1dn
ARG:kmg:jf

October 31, 2003

ATTN: Stuart

As discussed, the attached amendment revises SB-223 to make it as similar as possible to the analogous seat belt provision in existing law (which appears as s. 347.48 (2m) (g)). Please let me know if you would like any changes to the amendment.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
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