

HB 2164 -- FARM EQUIPMENT

SPONSOR: Riddle

This bill prohibits a manufacturer or owner of farm equipment from being held liable for injury, loss, damage, or death of any person operating the farm equipment if the farm equipment is equipped with all safety features required by law as of the date the equipment was manufactured.

A farm equipment manufacturer or owner of farm equipment may be held liable if the operator of the farm equipment is injured by willful or wanton misconduct; the manufacturer or owner of the farm equipment has actual knowledge or should have known of a dangerous condition of the equipment and did not make the dangerous condition known to the operator and the dangerous condition caused the operator to sustain injuries; or the manufacturer or owner fails to use the degree of care that an ordinarily careful and prudent person would use under the same or similar circumstances.

In any action for damages for personal injury, death, or property damage arising from the operation of farm equipment where the farm equipment manufacturer or owner is named as a defendant, it is an affirmative defense to the liability that the injured person assumed the risk; the injured person deliberately disregarded conspicuously posted signs, verbal instructions, or other warnings regarding safety features of the equipment; or any equipment or safety features of the equipment used by the injured person were used in a manner or for a purpose other than that for which a reasonable person should have known they were intended.