

SB 33 -- NEGLIGENCE ACTIONS INVOLVING THE DEPARTMENT OF  
TRANSPORTATION

SPONSOR: Stouffer (Cox)

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary  
by a vote of 8 to 4.

This bill repeals a provision requiring, upon the request of a  
plaintiff in a negligence action against the Department of  
Transportation, the case to be arbitrated by a panel of three  
arbiters under the provisions of Chapter 435, RSMo.

FISCAL NOTE: No impact on General Revenue Fund in FY 2012, FY  
2013, and FY 2014. Estimated Net Income on Other State Funds of  
Unknown greater than \$100,000 in FY 2012, FY 2013, and FY 2014.

PROPOSERS: Supporters say that the Department of Transportation  
is the only state department that is required to submit to  
arbitration at the plaintiff's request. The bill grants the  
department the same right to trial as every other state agency.

Testifying for the bill were Senator Stouffer; and Department of  
Transportation.

OPPOSERS: Those who oppose the bill say that the distinction is  
necessary because the Department of Transportation engages in  
activities that are more risky than other agencies and requiring  
arbitration helps to reduce lawyer fees for both the plaintiff  
and the department.

Testifying against the bill was Woody Cozad, Missouri Republican  
Attorneys for Civil Justice.