

**169.88 DAMAGES; LIABILITY.**

(a) Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which the highway or highway structure may sustain as a result of any illegal operation, driving, or moving of such vehicle, object, or contrivance, or as a result of operation, driving or moving any vehicle, object, or contrivance weighing in excess of the maximum weight in this chapter but authorized by a special permit issued as provided in sections 169.80 to 169.88.

(b) When such driver is not the owner of such vehicle, object, or contrivance, but is so operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage.

(c) Any person who by willful acts or failure to exercise due care, damages any road, street, or highway or highway structure shall be liable for the amount thereof.

(d) Damages under this section may be recovered in a civil action brought by the authorities in control of such highway or highway structure.

**History:** (2720-280) 1937 c 464 s 130; 1967 c 509 s 1; 1986 c 444