

1605 DRIVER: SCOPE OF EMPLOYMENT

Scope of employment means that at or about the time of the accident in question, (driver) was doing something directly or indirectly connected with the business of (his) (her) employer and in the course of (his) (her) duty as an employee.

COMMENT

This instruction and comment were approved in 1978. The comment was revised in 2013.

See Wis JI-Civil 4035, Servant: Scope of Employment and Wis JI-Civil 4040, Servant: Scope of Employment; Going to and from Place of Employment.

Milwaukee Transport Services, Inc. v. Family Dollar Stores of Wisconsin, Inc., 2013 WI App 124, 351 Wis.2d 170, 840 N.W.2d 132; DeRuyter v. Wisconsin Elec. Power Co., 200 Wis.2d 349, 546 N.W.2d (Ct. App. 1996), aff'd 211 Wis.2d 169, 565 N.W.2d 118 (1997).

Fultz v. Lange, 238 Wis. 342, 345, 298 N.W. 60 (1941); Fawcett v. Gallery, 221 Wis. 195, 200, 265 N.W. 667 (1936); Bohnsack v. Huson-Ziegler Co., Inc., 212 Wis. 65, 248 N.W. 764 (1933); Barragar v. Industrial Comm'n, 205 Wis. 550, 238 N.W. 368 (1931).