

2013 -- H 5829

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LC01478
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - MOTOR PASSENGER CARRIERS

Introduced By: Representative John J. DeSimone

Date Introduced: February 28, 2013

Referred To: House Judiciary

(Public Utilities)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-13-15 of the General Laws in Chapter 39-13 entitled "Motor
2 Passenger Carriers" is hereby amended to read as follows:

3 **39-13-15. Penalty for violations.** – Any person ~~or the officers of any association or~~
4 ~~corporation, who shall violate any of the provisions of this chapter or any order, rule, or~~
5 ~~regulation adopted or established by the division under the provisions of this chapter, shall be~~
6 ~~fined not more than one hundred dollars (\$100) or imprisoned not more than sixty (60) days, or~~
7 ~~both.~~ Firm or corporation, subject to the provisions of this chapter and/or any rules and
8 regulations promulgated under it, who shall knowingly or willfully cause to be done any act
9 prohibited by this chapter, or who shall be guilty of any violation of this chapter or the rules and
10 regulations shall be deemed guilty of a misdemeanor and shall, upon conviction, be subject to a
11 fine not to exceed one thousand dollars (\$1,000) or imprisonment for a term not exceeding one
12 year, or both for each offense.

13 The administrator may in his or her discretion, in lieu of seeking criminal sanctions,
14 and/or in lieu of revoking or suspending the carrier's operating authority as set forth in this
15 chapter, impose upon its regulated common carriers an administrative civil penalty (fine). This
16 fine shall not exceed one thousand dollars (\$1,000) per each violation of the sections contained in
17 this chapter or the division's rules and regulations promulgated under it.

18 SECTION 2. Section 39-14-11 of the General Laws in Chapter 39-14 entitled "Taxicabs
19 and Limited Public Motor Vehicles" is hereby amended to read as follows:

1 **39-14-11. Penalties for violations.** -- (a) Any person ~~or the officers of any association or~~
2 ~~corporation who shall violate any provision of sections 39-14-1—39-14-17, 39-14-20(b), 39-14-~~
3 ~~25 and 39-14-26, or any order, rule, or regulation adopted or established under any provision,~~
4 ~~shall be fined not more than one hundred dollars (\$100) or imprisoned not more than sixty (60)~~
5 ~~days or both, and his or her certificate may be revoked, and the violation shall be a separate and~~
6 ~~distinct offense for each day during which it shall continue.~~ firm or corporation subject to the
7 provisions of this chapter and/or rules and regulations promulgated under it, who shall knowingly
8 or willfully cause to be done any act prohibited by this chapter, or who shall be guilty of any
9 violation of this chapter or the rules and regulations shall be deemed guilty of a misdemeanor,
10 and shall, upon conviction, be subject to a fine not to exceed one thousand dollars (\$1,000) or
11 imprisonment for a term not exceeding one year, or both for each offense.

12 (b) The administrator may in his or her discretion, in addition to seeking criminal
13 sanctions, impose upon its regulated taxicabs and limited public motor vehicles an administrative
14 civil penalty (fine) in addition to revoking or suspending the taxicab's and limited public motor
15 vehicle's operating authority as conferred under this chapter. The fine shall not exceed one
16 thousand dollars (\$1,000) per each violation of the sections contained in this chapter or the
17 division's orders, rules and regulations issued and promulgated thereunder.

18 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PUBLIC UTILITIES AND CARRIERS - MOTOR PASSENGER CARRIERS

1 This act would, with regard to motor passenger carriers and taxicabs, provide that if the
2 rules and regulations of this chapter are violated then the party would be subject to a
3 misdemeanor and fine, but the administrator has the discretion to pursue civil penalty only.

4 This act would take effect upon passage.

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