

2015 -- H 5786

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC MOTOR VEHICLES

Introduced By: Representatives Craven, and Lombardi

Date Introduced: March 05, 2015

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-14.1-1 of the General Laws in Chapter 39-14.1 entitled "Public
2 Motor Vehicles" is hereby amended to read as follows:

3 **39-14.1-1. Definitions.** -- Terms used in this chapter shall be construed as follows, unless
4 another meaning is expressed or is clearly apparent from the language or context:

5 (1) "Certificate" means a certificate of operating authority issued to a public motor
6 vehicle;

7 (2) "Charter carrier" means a provider of transportation services to groups such as:
8 lodges, bands, athletic teams, schools or other travel groups, assembled by someone other than
9 the carrier who collectively contracts for the exclusive use of certain equipment for the duration
10 of a particular trip or tour. Charter carrier services shall also include transportation services
11 provided by employment agencies or employers to individuals in the context of providing
12 transportation to and from their place of employment;

13 (3) "Common carrier" as used in this chapter, means any person engaging in the business
14 of providing transportation services for compensation to passengers through the use of a public
15 motor vehicle as defined in this chapter;

16 (4) "Division" means the division of public utilities and carriers;

17 (5) "Driver" means any person operating a motor vehicle used for the transportation of
18 passengers which he or she owns or is operating with the expressed or implied consent of the
19 owner;

1 (6) "Person" means and includes any individual, partnership, corporation, or other
2 association of individuals;

3 (7) "Public motor vehicle" means and includes every motor vehicle for hire, other than a
4 jitney, as defined in § 39-13-1, or a taxicab or limited public motor vehicle, as defined in § 39-14-
5 1, used for transporting members of the general public for compensation in unmarked vehicles at
6 a predetermined or prearranged charge to such points as may be directed by the passenger. All
7 vehicles operated under this chapter shall conform to specifications established by the division.
8 Transportation services provided by charter carriers, as defined in this chapter, or by funeral
9 homes in association with funeral services, and by ambulance companies, by licensed home
10 nursing care providers or nursing facilities licensed pursuant to the provisions of chapter 17 of
11 title 23, assisted living residence providers licensed pursuant to chapter 17.4 of title 23, licensed
12 adult day services providers licensed pursuant to chapter 52 of title 23 and programs of all
13 inclusive care for the elderly a (PACE) as certified by the Centers for Medicare and Medicaid
14 Services (CMS) shall be exempt from this chapter;

15 (8) "Unmarked vehicles" means motor vehicles that do not display the transportation
16 company's name, address or telephone number, or any advertisements or commercial information
17 beyond that included by the vehicle's manufacturer on the vehicle's exterior surfaces.

18 (9) "Wheelchair accessible public motor vehicle" means a public motor vehicle designed
19 and equipped to allow the transportation of a person(s) who uses a wheelchair without requiring
20 that person(s) to be removed from the wheelchair, but such public motor vehicle is not restricted
21 to transporting only persons using wheelchairs.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would expand the definition of vehicles not considered public motor vehicles
2 and would include licensed home care nursing care providers and facilities, assisted living
3 providers, licensed adult day services as well as programs for inclusive care for the elderly as
4 certified by Centers for Medicare and Medicaid Services.

5 This act would take effect upon passage.

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