

2016 -- S 2223

LC004128

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - MOTOR CARRIER
TRANSPORTATION CONTRACTS

Introduced By: Senator Roger Picard

Date Introduced: January 27, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Title 39 of the General Laws entitled "PUBLIC UTILITIES AND
CARRIERS" is hereby amended by adding thereto the following chapter:

CHAPTER 13.1

MOTOR CARRIER TRANSPORTATION CONTRACTS

39-13.1-1. Definitions. -- As used in this chapter:

(1) "Motor carrier" means a contract carrier, a common carrier or a private carrier of
property or passengers by motor vehicle.

(2) "Motor carrier transportation contract" means a contract, agreement or understanding
covering:

(i) The transportation of property for compensation by a motor carrier or a service
incidental thereof;

(ii) Entrance on property by a motor carrier for the purposes of loading, unloading, or
transporting property for compensation or a service incidental thereof; or

(iii) A service incidental to an activity described in subdivisions (i) and (ii) of this
definition.

39-13.1-2. Indemnity agreement in motor carrier transportation contract void. --

Notwithstanding the provisions of chapters 12 and 13 of title 39, or any general or public law to
the contrary, any provision, clause, covenant or agreement contained in a motor carrier

1 [transportation contract that purports to indemnify, defend or hold harmless, or has the effect of](#)
2 [indemnifying, defending or holding harmless, an indemnitee from or against any liability for loss](#)
3 [or damage resulting from such indemnitee's negligence or intentional acts or omissions shall be](#)
4 [void and unenforceable.](#)

5 **39-13.1-3. Applicability.** -- [This chapter shall apply to motor carrier transportation](#)
6 [contracts entered into or renewed on or after the effective date of this chapter.](#)

7 SECTION 3. 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 render void and unenforceable any motor transportation contract term
- 2 indemnifying an indemnitee from or against its own negligence, intentional acts or omissions in
- 3 contracts entered into or renewed on or after the effective date of the chapter.
- 4 This act would take effect upon passage.

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