

2025 -- H 5914

LC001959

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO TOWNS AND CITIES -- ACTIONS BY AND AGAINST TOWNS

Introduced By: Representatives Felix, Kazarian, Morales, Fogarty, Alzate, Tanzi, and Hull

Date Introduced: February 28, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 45-15-11 and 45-15-12 of the General Laws in Chapter 45-15
2 entitled "Actions by and Against Towns" are hereby amended to read as follows:

3 **45-15-11. Effect of mending of highway by town.**

4 No work done by any city or town, upon any way or street, in mending or repairing the
5 way or street, shall constitute or be any evidence of an acceptance of the way or street by the city
6 or town, nor shall it in any way change the status of the way or street; and the mending or repairing
7 of the way or street, and any subsequent remedial measures taken that would have made an earlier
8 injury or harm less likely to occur, shall in no way render the city or town liable to pay
9 compensation or damages by reason of injuries suffered by any person or persons traveling upon
10 the way or street, and evidence of the subsequent measures shall not be admissible to prove
11 negligence, culpable conduct, a defect in the product or design, or a need for a warning or
12 instruction.

13 **45-15-12. Maximum recovery for personal injuries.**

14 (a) ~~No~~ Notwithstanding §§ 9-31-2 and 9-31-3, no person shall recover from any town in
15 any action mentioned in §§ 45-15-8 and 45-15-9, a greater sum for personal injuries than ~~one~~
16 ~~hundred thousand dollars (\$100,000)~~ three thousand dollars (\$3,000).

17 (b) This section shall be given retroactive effect and apply to all causes of action arising on
18 or after ~~May 4, 1984~~ January 1, 2025.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would limit the recovery for personal injuries actions against any town to three
2 thousand dollars (\$3,000) retroactive to all causes of action arising after January 1, 2025, and would
3 prohibit the use of subsequent remedial measures in roadway/highway defect cases.

4 This act would take effect upon passage.

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