

2026 -- H 7846

LC005325

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
THIRD-PARTY DELIVERY SYSTEMS

Introduced By: Representatives Voas, Giraldo, Phillips, Slater, Serpa, Caldwell,
DeSimone, and Shanley

Date Introduced: February 27, 2026

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 6-58-1, 6-58-3 and 6-58-5 of the General Laws in Chapter 6-58
2 entitled "Third-Party Delivery Systems" are hereby amended to read as follows:

3 **6-58-1. Definitions.**

4 As used in this title, unless the context otherwise requires:

5 (1) "Advertising platform" means any digital, online, mobile, mapping, search, operating-
6 system level, or voice-activated platform that displays merchant information, search results,
7 sponsored listings, or provides order interfaces.

8 ~~(1)~~(2) "Agreement" means a written contractual agreement between the merchant and the
9 third-party delivery service.

10 ~~(2)~~(3) "Customer" means the person, business, or other entity that places an order for
11 merchant products through the marketplace.

12 ~~(3)~~(4) "Likeness" means identifiable symbols attributed and easily identified as belonging
13 to a specific merchant or retailer.

14 ~~(4)~~(5) "Marketplace" means the third party's proprietary online communication platform
15 where customers can view and search the menus of merchants and place an order for merchant
16 products via the third party's website or mobile application for delivery or by the third-party
17 delivery service, or an independent contractor of the third-party delivery service, to the customer.

18 ~~(5)~~(6) "Merchant" means a food service establishment as set forth in § 21-27-1 or other

1 retail entity.

2 [\(7\) "Order interface" means any button, hyperlink, embedded feature, or interactive](#)
3 [element that allows or invites a consumer to initiate, place or complete an order from a merchant](#)
4 [on an advertising platform.](#)

5 ~~(6)~~[\(8\) "Third-party delivery service" means a company, organization, or entity, outside of](#)
6 [the operation of the merchant's business that facilitates delivery or online ordering services to](#)
7 [customers.](#)

8 [\(9\) "Unauthorized placement" means any appearance, promotion, advertisement, or order](#)
9 [interface on an advertising platform by a third-party delivery service of a merchant without an](#)
10 [agreement.](#)

11 **6-58-3. Merchant consent.**

12 [\(a\) A third-party delivery service may not take orders and arrange for the delivery of](#)
13 [merchant products through the third-party delivery service's marketplace without obtaining the](#)
14 [written consent of the merchant.](#)

15 [\(b\) No third-party delivery service shall purchase, bid on, display, allow or cause to be](#)
16 [displayed any advertisement, sponsored result, or promoted listing, or other unauthorized](#)
17 [placement including, but not limited to, using a merchant's name, trademark, service mark, logo,](#)
18 [trade name, or likeness on any advertising platform unless expressly authorized by agreement with](#)
19 [a merchant.](#)

20 **6-58-5. Enforcement — Penalties.**

21 [\(a\) Any merchant who is subject to an unauthorized placement or other violation of § 6-](#)
22 [58-3,](#) whose likeness was used by the third-party delivery service, or who appears on a third-party
23 delivery service's marketplace, in violation of this chapter, may bring an action in the superior court
24 of the county in which the merchant or third-party delivery service is found, or in the superior court
25 of the county as is otherwise provided by law, to recover actual damages or five thousand dollars
26 (\$5,000), whichever is greater. The court may, in its discretion, and where the conduct involves
27 reckless or callous indifference to statutorily protected rights, award punitive damages and other
28 equitable relief it deems appropriate.

29 [\(b\) Any third-party delivery service who or that violates this chapter shall pay to the state](#)
30 [a civil penalty of not more than one thousand dollars \(\\$1,000\) per violation. Each day a violation](#)
31 [occurs shall count as a separate violation.](#)

32 SECTION 2. Title 6 of the General Laws entitled "COMMERCIAL LAW — GENERAL
33 REGULATORY PROVISIONS" is hereby amended by adding thereto the following chapter:

34 [CHAPTER 58.1](#)

1 RESTAURANT RESERVATION ANTI-PIRACY ACT

2 **6-58.1-1. Short title.**

3 This chapter shall be known and may be cited as the "Restaurant Reservation Anti-Piracy
4 Act."

5 **6-58.1-2. Definitions.**

6 (a) As used in this chapter, the following words shall have the following meanings:

7 (1) "Food service establishment" means any fixed or mobile restaurant, coffee shop,
8 cafeteria, short-order café, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar,
9 cocktail lounge, night club, roadside stand, industrial feeding establishment, cultural heritage
10 education facility, private, public or nonprofit organization or institution routinely serving food,
11 catering kitchen, commissary or similar place in which food or drink is prepared for sale or for
12 service on the premises or elsewhere, and any other eating or drinking establishment or operation
13 where food is served or provided for the public with or without charge.

14 (2) "Third-party restaurant reservation service" means a website, mobile application, or
15 other Internet service that:

16 (i) Offers or arranges for a reservation at a food service establishment for on-premises
17 service;

18 (ii) Is owned and operated by a person other than the person who owns the food service
19 establishment, or is contractual;

20 (iii) Does not have a contractual relationship or agreement with the public food service
21 establishment, or its contractual designee, to offer or arrange for a reservation at the food service
22 establishment for on-premises service. A third-party restaurant reservation service does not include
23 a contractual designee of an individual customer which arrange for a personal and nontransferable
24 reservation at a food service establishment at the request of the customer and at no cost to the
25 customer; provided that, the designee shares the individual customer's contact information with the
26 food service establishment, allows the food service establishment to confirm the reservation with
27 the individual customer, and honors requests from the food service establishment to opt out of
28 future reservations created by the designee.

29 **6-58.1-3. Prohibition of third-party restaurant reservation services.**

30 A third-party restaurant reservation service shall not list, advertise, promote, facilitate, sell,
31 or otherwise enable a reservation at a food service establishment in this state.

32 **6-58.1-4. Enforcement -- Penalties.**

33 Any person who violates, or causes another person to violate, a provision of this chapter or
34 any rules or regulations promulgated by the department of business regulation hereunder shall be

1 subject to a civil penalty of up to one thousand dollars (\$1,000) for each violation. Each day that a
2 third-party restaurant reservation service violates this chapter with respect to a food service
3 establishment constitutes a single violation of this chapter. A proceeding to recover any civil
4 penalty or restitution under this chapter may also be brought by the attorney general. All penalties
5 received for violations shall be deposited as general revenue.

6 SECTION 3. This act shall take effect on January 1, 2027.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
THIRD-PARTY DELIVERY SYSTEMS

- 1 This act would prohibit unauthorized placement of merchants on advertising platform order
- 2 interfaces, and would prohibit third-party restaurant reservation services.
- 3 This act would take effect on January 1, 2027

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