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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - MOTOR CARRIER
TRANSPORTATION CONTRACTS

Introduced By: Representative Patricia A. Serpa

Date Introduced: April 17, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 CHAPTER 13.1

4 MOTOR CARRIER TRANSPORTATION CONTRACTS

5 **39-13.1-1. Definitions. -- As used in this chapter:**

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

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

10 (i) The transportation of property for compensation by a motor carrier;

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

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

15 **39-13.1-2. Indemnity agreement in motor carrier transportation contract void. --**

16 Notwithstanding the provisions of chapter 12 of title 39 and chapter 13 of title 39, or any general
17 or public law to the contrary, any provision, clause, covenant or agreement contained in a motor
18 carrier transportation contract that purports to indemnify, defend or hold harmless, or has the

1 effect of indemnifying, defending or holding harmless, an indemnitee from or against any liability
2 for loss or damage resulting from such indemnitee's negligence or intentional acts or omissions
3 shall be void and unenforceable.

4 **39-13.1-3. Applicability. --** This chapter shall apply to motor carrier transportation
5 contracts entered into or renewed on or after the effective date of this chapter.

6 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 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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