

2016 -- S 2791

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - PUBLIC MOTOR VEHICLES

Introduced By: Senator Louis P. DiPalma

Date Introduced: March 23, 2016

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 39-14.1-1 and 39-14.1-6 of the General Laws in Chapter 39-14.1
2 entitled "Public Motor Vehicles" are 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
14 business of providing transportation services for compensation to passengers through the use of a
15 public 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 that 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) "Prearranged" or "prearrange" means a reservation for transportation services to be
4 provided by a public motor vehicle, made at least two (2) hours in advance of the delivery of
5 services to the passenger. Transportation services commence at the time the passenger is initially
6 picked up by the driver.

7 ~~(7)~~ (8) "Public motor vehicle" means and includes every motor vehicle for hire, other
8 than a jitney, as defined in § 39-13-1, or a taxicab or limited public motor vehicle, as defined in §
9 39-14-1, used for transporting members of the general public for compensation in unmarked
10 vehicles at a predetermined or prearranged charge to such points as may be directed by the
11 passenger. All vehicles operated under this chapter shall conform to specifications established by
12 the division. Transportation services provided by charter carriers, as defined in this chapter, or by
13 funeral homes, in association with funeral services, and by ambulance companies shall be exempt
14 from this chapter;

15 ~~(8)~~ (9) "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; provided,
18 however, that public motor vehicles that display markings identifying them as service or courtesy
19 vehicles used by licensed health care facilities, assisted living residences, and adult day care
20 programs, licensed by the Rhode Island department of health, pursuant to chapters 17 and 17.4 of
21 title 23 and § 23-1-52, respectively, shall be permitted to operate with such markings; provided
22 the vehicles are registered to these licensed entities; operated by employees of these licensed
23 entities; and that the service provided with these vehicles, when being used as public motor
24 vehicles, is limited to transportation services provided to passengers receiving transportation
25 services through a program funded by the federal government and/or the state of Rhode Island;
26 provided, further, that public motor vehicles providing transportation services under a program
27 funded by the federal government and/or the state of Rhode Island may display temporary and
28 easily removable markings (e.g. magnetic placards) on their vehicles, for the sole purpose of
29 identifying the vehicles as authorized transportation service vehicles operating in association with
30 the publicly funded program.

31 ~~(9)~~ (10) "Wheelchair accessible public motor vehicle" means a public motor vehicle
32 designed and equipped to allow the transportation of a person(s) who uses a wheelchair without
33 requiring that person(s) to be removed from the wheelchair, but such public motor vehicle is not
34 restricted to transporting only persons using wheelchairs.

1 **39-14.1-6. Operations of public motor vehicles.** -- No public motor vehicle shall be
2 operated from any taxicab stand on any public highway; nor shall the operator of it transport any
3 passenger for hire unless the transportation is requested [and prearranged](#) by the passenger at an
4 office of the owner of the vehicle, either personally or by telephone and/or other electronic means
5 [at least two \(2\) hours in advance of the delivery of the services to the passenger](#). When solicited
6 by a prospective customer, the certificate holder or its representative shall quote what the actual
7 charge for the requested transportation service will be prior to picking up the passenger(s).

8 The division shall establish and set a minimum allowable charge for public motor
9 vehicle services. The minimum allowable charge provisions of this section shall not apply to
10 public motor vehicle service coordinated by, or paid for by, a state department, authority, or
11 agency on behalf of clients of said state department, authority, or agency; provided, however, that
12 the state department, authority, or agency requests the service no later than the day before the
13 service is to be rendered. This exemption shall also apply in cases where the state has contracted
14 with a private company to coordinate the scheduling and provision of such transportation
15 services, provided the funding for such transportation services comes exclusively through a
16 program funded by the federal government and/or the state of Rhode Island.

17 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 prohibit the operator of a public motor vehicle from transporting any
2 passenger unless the pickup time is prearranged at least two (2) hours before the actual pickup.

3 This act would take effect upon passage.

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