

Regular Session, 2014

SENATE BILL NO. 518

BY SENATOR MARTINY

COMMERCIAL REGULATIONS. Provides relative to indemnification provisions of motor carrier contracts. (8/1/14)

1 AN ACT

2 To enact R.S. 9:2780.1(J), relative to motor carrier transportation contracts; to provide
3 relative to certain provisions of motor carrier transportation contracts concerning
4 indemnification; to provide for the applicability of the Unfair Trade Practice and
5 Consumer Protection Law; to provide for penalties; to provide for terms and
6 conditions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:2780.1(J) is hereby enacted to read as follows:

9 §2780.1. Certain contract provisions invalid; motor carrier transportation contracts;
10 construction contracts

11 * * *

12 **J. On and after January 1, 2015, the inclusion of any provision,**
13 **covenant, or clause in a motor carrier transportation contract that violates or**
14 **is contrary to the provisions of this Section shall constitute an unfair or**
15 **deceptive act or practice and shall be punishable under the Unfair Trade**
16 **Practice and Consumer Protection Law, R.S. 51:1401 et seq.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Martiny (SB 518)

Present law provides that certain provisions in motor carrier transportation contracts are against the public policy of this state and are null, void, and unenforceable.

Proposed law retains the provisions of present law and adds that on and after January 1, 2015, the inclusion of any provision, covenant, or clause in a motor carrier transportation contract that violates or is contrary to certain provisions of law shall constitute an unfair or deceptive act or practice, and shall be punishable under the Unfair Trade Practice and Consumer Protection Law.

Effective August 1, 2014.

(Adds R.S. 9:2780.1(J))