

2016 -- H 7166

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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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: January 14, 2016

Referred To: House Corporations

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 or a service  
11 incidental thereof;

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

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

16 **39-13.1-2. Indemnity agreement in motor carrier transportation contract void. --**

17 Notwithstanding the provisions of chapters 12 and 13 of title 39, or any general or public law to  
18 the contrary, any provision, clause, covenant or agreement contained in a motor carrier

1 [transportation contract that purports to indemnify, defend or hold harmless, or has the effect of](#)  
2 [indemnifying, defending or holding harmless, an indemnitee from or against any liability for loss](#)  
3 [or damage resulting from such indemnitee's negligence or intentional acts or omissions shall be](#)  
4 [void and unenforceable.](#)

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

7 SECTION 3. 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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