

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and be Printed Engrossed

Vote: 4 - 0 - 2

Yeas: Burdick, Girod, Starr, Beyer

Nays: 0

Exc.: Atkinson, Edwards

Prepared By: Richard Berger, Administrator

Meeting Dates: 3/7

WHAT THE MEASURE DOES: Declares provision in motor carrier transportation contract that indemnifies a party to the contract against liability for acts of other party to be void. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Ensuring fairness between shippers and carriers
- Matching legislation of other states
- Exception for container shipping

EFFECT OF COMMITTEE AMENDMENT: Exempts any agreement providing for the interchange, use or possession of intermodal chassis, intermodal containers, or other intermodal equipment from being void.

BACKGROUND: Senate Bill 259 A defines “motor carrier transportation contract” as any written agreement for the transportation of personal property for compensation or hire, entry on real property for the purpose of packing, loading, unloading or transporting personal property for compensation or hire, or any service incidental to such activity including, but not limited to, storage of personal property for compensation or hire. Senate Bill 259 A prohibits indemnification provisions in motor carrier transportation contracts.