

HOUSE BILL NO. HB0191

Motor carrier transportation contracts.

Sponsored by: Representative(s) Cohee, Gingery, Petersen and Throne and Senator(s) Decaria, Esquibel, F. and Ross

A BILL

for

1 AN ACT relating to motor carrier transportation contracts;
2 declaring specified indemnification provisions
3 unenforceable against negligent or intentional acts;
4 providing a definition; and providing for an effective
5 date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 40-17-102 is created to read:

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11 **40-17-102. Motor carrier indemnity agreements void.**

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13 (a) Notwithstanding any other provision of law, any
14 provision, clause, covenant or agreement contained in,
15 collateral to or affecting a motor carrier transportation
16 contract that purports to indemnify, defend or hold

1 harmless or has the effect of indemnifying, defending or
2 holding harmless any party from or against any liability
3 for loss or damage resulting from the negligence or
4 intentional acts or omissions of another party is against
5 the public policy of this state and is void and
6 unenforceable. For purposes of this section, "motor
7 carrier transportation contract" means a contract,
8 agreement or understanding regarding:

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10 (i) The transportation of property for
11 compensation or hire;

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13 (ii) Entrance on property for the purpose of
14 loading, unloading or transporting property for
15 compensation or hire; or

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17 (iii) A service incidental to activity described
18 in paragraphs (i) and (ii) of this subsection, including,
19 but not limited to, storage of property.

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21 **Section 2.** This act is effective July 1, 2009.

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(END)