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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS -THE
RIGHTS OF MARINA USERS'

Introduced By: Representatives Petrarca, Trillo, Edwards, O'Neill, and Keable

Date Introduced: February 15, 2012

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 6 of the General Laws entitled "COMMERCIAL LAW - GENERAL
2 REGULATORY PROVISIONS" is hereby amended by adding thereto the following chapter:

3 CHAPTER 54

4 RHODE ISLAND MARINA USERS' BILL OF RIGHTS

5 **6-54-1. Short title.** -- This chapter shall be known and may be cited as the "Rhode Island
6 Marina Users' Bill of Rights Act."

7 **6-54-2. Legislative findings.** -- In order to preserve a thriving marine industry where the
8 rights of consumers are protected, and to maintain fair competition and equal opportunity for all
9 marine businesses, it is essential that a boat owner in Rhode Island has the following rights.

10 **6-54-3. Rights enumerated.** -- All owners of boats are hereby granted the following
11 rights:

12 (1) The right to have access to your boat, and the right for your service provider to have
13 access to your boat, whether in slip, mooring, or outside storage area, whenever necessary for the
14 safety and repair of the vessel, given reasonable work requirements are met which align with
15 local, state and federal regulations.

16 (2) The right to lease slip, mooring, or land storage from a marina without being required
17 to use that marina for additional services to the vessel.

18 (3) The right to hire the service provider of your choice to work on your boat, your own

1 personal property, within your lease space, without fees or financial penalties assessed by your
2 marina.

3 (4) The right to privacy and confidentiality of financial and contractual documents; a boat
4 owner, crew, or service provider shall not be required to present invoices or private contracts to a
5 marina or other third party.

6 (5) The right to request references and certifications from the technician who is actually
7 working on your vessel, and the right to speak to that technician about the work being done.

8 (6) The right to an itemized invoice and full explanation of charges, including products
9 and services purchased, and warranty and return policies.

10 (7) The right to request estimates, shop around for the best company to furnish goods and
11 services, and invite that outfit to freely board your vessel to perform the contracted work.

12 (8) The right to store your vessel at your home or at another facility during the winter lay-
13 up without risk of losing your summer slip.

14 (9) The right to sell your boat without paying your marina a commission on the sale,
15 unless they act as the contracted broker.

16 (10) The right to post a for sale sign on your boat, unless all signage is banned by the
17 marina.

18 (11) The right to consumer protection by the Rhode Island attorney general's office,
19 including the right to file a complaint, receive a prompt response and attention to the matter, and
20 the attorney general's enforcement of your rights on your behalf, including penalties to the
21 violators of your rights.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS -THE
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- 1 This act would create the “Rhode Island Marina Users’ Bill of Rights Act” which would
- 2 afford certain rights to boat owners renting space at Rhode Island marinas.
- 3 This act would take effect upon passage.

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