

2017 -- S 0219

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO TOWNS AND CITIES - GENERAL POWERS - LANDING FEE FOR TOWN
OF BRISTOL

Introduced By: Senators Felag, and Coyne

Date Introduced: February 02, 2017

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-2 of the General Laws entitled "General Powers" is hereby
2 amended by adding thereto the following section:

3 **45-2-35.3. Town of Bristol - Landing fee.**

4 (a) The town of Bristol is hereby authorized to charge, assess, or otherwise collect a
5 thirty-five cent (\$.35) landing fee on each passenger over the age of twelve (12) arriving in the
6 port of Bristol, Bristol, Rhode Island, by public or private boat; provided, however, that this
7 provision shall not apply to vessels when they are engaged in commercial fishing. All fees
8 collected, less expenses of collection, if any, shall be utilized by the town of Bristol to protect the
9 health, safety, and welfare of all passengers, including, but not limited to, emergency medical
10 services, acquisition, maintenance, and repair of both personal and real property to provide
11 support to the ferry passengers and tourism related activities, to construct and maintain tourism
12 support facilities and to establish a fund to assist the town of Bristol in resolving problems which
13 arise due to the impact of vessels landing passengers in the town of Bristol. The town of Bristol
14 may enter into agreements with any common carriers by water operating in the town of Bristol
15 authorizing the common carrier to collect the landing fee on behalf of the town of Bristol. The
16 agreement shall provide for the payment of a reasonable fee, (not to exceed fifteen percent (15%)
17 of the landing fee), by the town to the common water carrier and indemnification of the water
18 carrier from and against any liability to, or claim of liability by third parties, arising from the

1 collection of the landing fee. All such common carriers shall collect the landing fee on behalf of
2 the town of Bristol, by including the amount of the fee in its rate and charge to adult passengers
3 without the necessity of approval of the landing fee from the public utilities commission ("PUC")
4 of the division of public utilities and carriers ("DPUC") under title 39. The landing fee authorized
5 by this chapter does not apply to any persons receiving free transportation from the public utility
6 under §39-2-5. The town council of the town of Bristol shall promulgate rules and regulations to
7 implement the provisions of this section.

8 (b) If any provision of this section, or the application thereof to the town of Bristol or to
9 any person or circumstances, is deemed invalid for any reason, the remainder of this section, or
10 the application of such provision to said town or other persons or circumstances, shall not be
11 affected thereby and, to this end, the provisions of this act are declared to be severable.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act will permit the town of Bristol to charge a landing fee of thirty-five cents (\$.35)
2 on each passenger over the age of twelve (12) arriving in the port of Bristol excluding
3 commercial fishing vessels.

4 This act would take effect upon passage.

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