

SENATE, No. 3121

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED AUGUST 10, 2015

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Senator Madden

SYNOPSIS

Prohibits snowplow or de-icing service contract from indemnifying promisee against liability for loss or damage in certain instances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/8/2015)

1 AN ACT concerning snowplow or de-icing service contracts and
2 supplementing Title 56 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. For the purposes of P.L. , c. (C.) (pending before the
8 Legislature as this bill):

9 “Promisee” means a promisee and any agents, employees,
10 servants, or independent contractors directly responsible to the
11 promisee.

12 “Snowplow or de-icing service contract” means a contract,
13 agreement, or understanding covering: 1) plowing, shoveling, or
14 otherwise removing snow or other frozen precipitation from a
15 surface; 2) de-icing services; or 3) a service incidental to plowing,
16 shoveling, or otherwise removing snow or other frozen
17 precipitation, or de-icing services, including, but not limited to,
18 driving or otherwise moving a snowplow or de-icing equipment and
19 materials.

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21 2 Notwithstanding any law, rule, or regulation to the contrary, a
22 provision, clause, covenant, or agreement contained in, collateral to,
23 or affecting a snowplow or de-icing service contract entered into on
24 or after the effective date of P.L. , c. (C.) (pending before
25 the Legislature as this bill) that purports to indemnify, defend, or
26 hold harmless, or has the effect of indemnifying, defending, or
27 holding harmless, the promisee from or against any liability for loss
28 or damage resulting from the negligence, intentional acts, or
29 omissions of the promisee is against the public policy of this State
30 and is void and unenforceable.

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32 3. This act shall take effect immediately.

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STATEMENT

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37 This bill makes void and unenforceable any provision, clause,
38 covenant, or agreement contained in, collateral to, or affecting a
39 snowplow or de-icing service contract that purports to indemnify,
40 defend, or hold harmless, or has the effect of indemnifying,
41 defending, or holding harmless, the promisee from or against any
42 liability for loss or damage resulting from the negligent, intentional
43 acts, or omissions of the promisee.